
SECOND ANNUAL REPORT

Oversight of Public and Private Initiatives to Eliminate the Worst Forms of Child Labor in the Cocoa Sector in Côte d'Ivoire and Ghana

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**Payson Center for International Development and Technology Transfer
Tulane University**

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List of Acronyms

ACRONYM	NAME
ANADER	Agence Nationale à Apui au Développement Rural
ADM	Archer, Daniels Midland Company/ADM Cocoa Sifca
ARD	Associates in Rural Development
CAOBISCO	Association of Chocolate, Biscuit & Confectionery Industries of the EU
CDI	Côte d'Ivoire
CEPRASS	Centre d'Etudes Prospectives et Appliquées sur les politiques sociaux et le systems de sécurité sociale
CIM	Center for International Migration and Development (Germany)
CLASSE	Child Labor Alternatives through Sustainable Systems in Education
CLMS	Child Labor Monitoring System
CMA	Chocolate Manufacturers Association
CMAC	Confectionery Manufacturers Association of Canada
COCOBOD	Ghana Cocoa Board
CRIG	Cocoa Research Institute of Ghana
CRS	Catholic Relief Services
DFID	Department for International Development (UK)
DOL	Department of Labor
ENSEA	Ecole Nationale de Statistique et d'Economie Appliquée
ECOWAS	Economic Community of West African States
EFP	Education First Project
ECA	European Cocoa Association
FT	Fair Trade
FHI	Family Health International
FFS	Farmer Field School
FAO	Food and Agriculture Organization of the United Nations
FDA	Food and Drug Administration
FAL	Forced adult labor
GAWU	General Agricultural Workers' Union
GTZ	Gesellschaft fur Technische Zusammenarbeit
GIG	Global Issues Group
ISSER	Institute of Statistical, Social And Economic Research
ICMH	International Center of Migration and Health
ICI	International Cocoa Initiative
ICVB	International Cocoa Verification Board
IFESH	International Foundation for Education and Self Help
IITA	International Institute of Tropical Agriculture
ILO	International Labor Organization
IOM	International Organization for Migration
IPEC	International Programme on the Elimination of Child Labour
IUF	International Union of Food Workers
LUTRENA	Combating the Trafficking of Children for Labour Exploitation in West and Central Africa
MMYE	Ministry of Manpower, Youth and Employment
M&E	Monitoring and Evaluation

NCBS	National Centre for Business and Sustainability
NCA	National Confectioners Association
NGO	Nongovernmental organization
NPECLC	Ghana National Program for the Elimination of Worst Forms of Child Labor in Cocoa
OCHA	Office for the Coordination of Humanitarian Affairs
PSI	Population Services International
STRI	Smithsonian Tropical Research Institute
SOCODEVI	Societe du Cooperation pour le Developpement
STCP	Sustainable Tree Crops Program
TWG	Technical Working Group
UK	United Kingdom
UN	United Nations
UNICEF	United Nations Children's Fund
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNHCR	United Nations High Commissioner for Refugees
UNFPA	United Nations Population Fund
USA	United States of America
USAID	United States Agency for International Development
USDA	United States Department of Agriculture
USDOL	United States Department of Labor
VMB	Verification Management Body
VWG	Verification Working Group
WACAP	West Africa Cocoa/Commercial Agriculture Programme to Combat Hazardous and Exploitative Child Labour
WAHO	West African Health Organisation
WCF	World Cocoa Foundation
WFCL	Worst Forms of Child Labor
WFP	World Food Program
WHO	World Health Organization

Executive Summary

The Harkin-Engel Protocol (“The Protocol”) is a voluntary agreement signed in September 2001 by the Chocolate Manufacturers Association (CMA) and the World Cocoa Foundation (WCF) and witnessed by US Senator Tom Harkin (D-IA), US Representative Eliot Engel (D-NY), the Ambassador of the Republic of Côte d’Ivoire to the United States, the International Labor Organization (ILO), labor unions, and other civil society organizations. The Protocol, together with the joint statements of July 1, 2005 and June 16, 2008, call for action by the chocolate and cocoa industry to address the Worst Forms of Child Labor (WFCL) in Côte d’Ivoire and Ghana. Specifically, the Protocol includes a commitment by Industry to develop and implement voluntary, industry-wide standards of public certification that cocoa beans and their derivative products have been grown and processed without the WFCL.

In October 2006, after a competitive bidding process, Tulane University initiated work on a Department of Labor (DOL) contract to provide oversight of public and private initiatives to eliminate the WFCL and to assess progress made to implement the Protocol. In the first contract year, Tulane University focused on interviewing key stakeholders, pilot data collection and monitoring work, and worked on the preparation of larger research activities including representative survey research. In the second contract year, Tulane carried out the first set of nationally representative surveys of child labor in the cocoa sector in Côte d’Ivoire and Ghana. In addition, a range of smaller studies was also implemented. This included a pilot study of child trafficking from Burkina-Faso and Mali for work on cocoa farms and assessment of intervention activities in support of children in the cocoa-growing areas. Besides our research and monitoring activities, we intensified our discussion and exchange with the Governments of Ghana and Côte d’Ivoire, the cocoa/chocolate industry, civil society and the many other stakeholders involved in implementing the Harkin-Engel Protocol at conferences in London, Toronto, Abidjan, Accra, and Washington DC as well as in private meetings. This includes Tulane’s presentation of research findings at consultative meetings in West Africa and Washington DC held in July 2008.

Key Survey Findings:

During the 2007/2008 harvest season, both Côte d’Ivoire and Ghana carried out certification surveys with support of the international cocoa/chocolate industry parallel to the surveys implemented by Tulane. The survey methodology used by Tulane and the national teams differed in sampling frame, geographical coverage and reporting methodology. The Governments of Ghana and Côte d’Ivoire did not weight the data and they did not attempt to generate estimates representative of the population. They also did not cover the entire cocoa-growing area. Côte d’Ivoire has released an abbreviated form of summary report while Ghana has a summary as well as much more in-depth analysis available publicly. The two countries used different methodologies, such that results are not directly comparable.

Due to the differences in implementation of the surveys, the reporting of findings, and the lack of access to the raw data, we cannot validate the results of the Industry-supported government certification surveys directly. However, we can describe some

similarities and differences between our study and the government findings. Tulane expects to make its raw data available to key stakeholders after the submission of this report to Congress. We have requested and believe that the respective countries will also ultimately make their data available, though this has not occurred to date.

The countries have committed to collaborating with Tulane and in Ghana we have had the first meetings to work through methodological differences and standardize future instruments. Tulane considers this a major positive step.

From all of the surveys with differing methods there are some emerging key findings:

- Children in the rural areas continue working in cocoa production and in other agricultural and economic activities, some as young as 5 years of age.
- A large percentage of the children working in cocoa report involvement in hazardous work and injuries while performing agricultural tasks, including the use of tools and equipment, carrying heavy loads, and exposure to environmental hazards. Some children are also involved in spraying pesticides and in the application of other chemicals. Some of these activities have been classified as worst forms of child labor by the Governments of Côte d'Ivoire and Ghana.
- There is little evidence of the *unconditional* worst forms of child labor in the cocoa sector – child trafficking, forced labor, etc. – as a percentage of the population. However, there is evidence of child trafficking to Côte d'Ivoire from neighboring countries.
- Of note in the Tulane's population-based survey of Nov/Dec 2007 was that the vast majority of children in the cocoa-growing areas – 95% in Ghana and 98% in Côte d'Ivoire (weighted data) – do not report exposure to any intervention projects in support of children in the rural areas. While these children may still benefit from interventions indirectly and without their knowledge, these percentages are low enough to merit further field validation.

Summary of Progress in Year 2:

The Harkin-Engel Protocol has been a catalyst for regulatory reform. While the countries were moving towards increasing their national efforts including the creation of national child labor task forces and the funding of projects to address the WFCL, we believe that the Protocol has stimulated this effort. The increased media attention to human trafficking, forced labor and hazardous working conditions and increased resources committed to reviewing progress have had a positive impact. To conclude, the Harkin-Engel Protocol, combined with greater national efforts, has amplified attention to exploitative child labor and conditions that are hazardous to children's health and well-being.

In the last year, Industry and the Governments of Côte d'Ivoire and Ghana have taken steps to investigate the problem by implementing the certification surveys, and they are currently planning to implement a range of activities that address issues identified in the Protocol. Some of these planned activities include:

1. Completion of extended analysis of country survey data with planned joint review of key methodological issues programmed;

2. Development of a community-based child labor monitoring and evaluation system focused on local city or community council structures (Ghana);
3. Development of a national inventory of projects to be kept in a GIS database framework (Ghana and Côte d'Ivoire); and
4. Creation of joint technical working committees to jointly examine key methodological issues in survey design and implementation.

Both Ghana and Côte d'Ivoire have made major strides in assessing and organizing national efforts to quantify and respond to child labor issues in the cocoa sector in the past year. At the same time, the verification process, sponsored by Industry, continued to evolve and a new Verification Group has begun the review of documents and is currently preparing some data collection in the field.

In the first year of the Tulane contract issues of transparency and data sharing were at the forefront as each of the multiple groups involved with oversight sought to clarify their relative roles. In the second year of contract activities, the majority of those issues have been resolved with the interchange of data between Tulane, the Governments, Industry and NGO representatives. While there will be differences in interpretation based upon analysis and collection methodologies, there seems to be no barrier to free exchange of data sets for joint and individual analysis. We therefore believe that transparency has been achieved and will be verified by the exchange of survey data in the weeks after this submission to Congress. Data sets regarding interventions have already been exchanged and channels are open for further collaboration in both countries.

Tulane University will continue to work closely with all of the key stakeholders to continue the assessment as well as provide requested technical assistance required to determine the scale, effectiveness and sustainability of the certification, monitoring and verification systems, and other actions taken to achieve the Protocol objectives.

Recommendations:

1. Continue the cooperative efforts between the Governments of Côte d'Ivoire and Ghana, the international cocoa/chocolate industry and other stakeholders to revise and standardize the methodology of certification.
2. Continue to encourage a collaborative approach to measuring and reporting progress in data collection, analysis and reporting as it relates to WFCL in the cocoa sector. This includes joint data analysis, data sharing, methods sharing and joint training and capacity building.
3. Continue the planned capacity building efforts in Ghana and Côte d'Ivoire based around joint work on the data sets and other methodological issues.
4. Aggressively pursue the inventory and GIS-based database of project interventions requested by both Governments.
5. Address WFCL most frequently encountered in the cocoa sector, the exposure to hazardous working conditions. Continue work on hazardous child labor

frameworks and intervention activities targeted at reducing exposure to hazardous work.

6. Target high-risk groups for remediation efforts. These groups include working children below minimum age, children working long hours, children out of school and children separated from family. Making sure that remediation projects address truly vulnerable populations is a priority.
7. Develop more specific assessments of the unconditional worst forms of child labor in the cocoa sector, especially the trafficking of children, with particular attention to methodological challenges.
8. Work with regional and international organizations on capacity building and sustained funding at the local level in order to be able to sustain a longer-term effort.

Introduction

In 2006, the US Department of Labor (DOL) was charged with obtaining a qualified University-based contractor to oversee public and private efforts to eliminate the worst forms of child labor in the cocoa sector in Côte d'Ivoire and Ghana. After a competitive bidding process, DOL awarded a three-year, \$4.3 million project to the Payson Center for International Development at Tulane University in New Orleans in September 2006.

Tulane University has been contracted by DOL to undertake applied research to generate the information needed to measure progress towards the objectives outlined in the Harkin-Engel Protocol. Tulane University prepares annual reports for DOL and the US Congress in an effort to validate progress being made toward implementation of "credible, mutually-acceptable, voluntary, industry-wide standards of public certification", covering at least 50 percent of the cocoa-growing area in Côte d'Ivoire and Ghana. The Tulane reports, of which this document is the second, cover efforts to establish certification, child labor monitoring and verification systems as well as remediation efforts to assess progress made toward meeting obligations under the Harkin-Engel Protocol. Tulane University also studies the health effects on children working under potentially exploitative conditions in the cocoa sector and we will assist local governments in training government officials.

Over the course of the second year, Payson team members have continued to work with country and regional representatives to facilitate a comprehensive and transparent review of Industry and national research and assessment activities. Team members have concentrated on identifying existing baseline indicators to measure the complex and contextually defined outcome indicator, the worst forms of child labor (WFCL). The Payson methodological approach adopts a convergence of evidence perspective, which combines information from survey research, observational case study material as well as secondary observational and survey material. While the first year of project activity was primarily dedicated to collecting and reviewing existing research in all related issues (e.g. child labor, cocoa industry, etc.), the second year has been dominated by data collection in the field, most importantly our first surveys of child labor in the cocoa-growing areas in Côte d'Ivoire and Ghana. Based upon our survey research and monitoring activities and a comprehensive literature and secondary data review, we are reporting, as per contract requirements, a summary of where the Tulane Team is with respect to the state of current knowledge regarding child labor and WFCL in the cocoa sector. We also are reporting on the development of systems of certification and verification by the Industry and the Governments of Côte d'Ivoire and Ghana, and remediation efforts currently available to children in the cocoa-growing areas.

A strong part of our ethos and we believe a key aspect of validation is the access by all interested parties to data for independent analysis. Thus, after the contract mandated report to Congress, Tulane will make the data collected under the current contract available to key stakeholders. The Governments of Côte d'Ivoire and Ghana as well as our colleagues from Industry and the non-profit world have equally committed to data sharing and transparency. We believe that the ongoing joint data review workgroup with the Government of Ghana will move this effort forward. The Government of Côte d'Ivoire has requested a similar activity in October/November 2008. The arena of child labor and child health, politically and culturally charged as it is, presents a challenge to us all to

redouble our efforts to ensure transparency. A university is a monument to open and objective inquiry. Tulane remains committed to ensure transparency with respect to all data it collects.

Background

West Africa represents the world's major source for cocoa production, accounting for approximately 70 percent of the world market. Cocoa farming is labor intensive and, as part of a centuries old custom of children working in agricultural household environments, hundreds of thousands of children are involved in work on cocoa farms, including tasks considered to be among the worst forms of child labor (WFCL). For some of these children, working in the cocoa sector may deprive them from other opportunities, such as the chance to attend school.

In 2000/01, the use of child labor in the cocoa sector in West Africa came under increased scrutiny. Based on media reports, the cocoa/chocolate industry was accused of profiting from the use of child labor and forced labor on cocoa farms in West Africa. The reports described labor performed by children below legal working age, hazardous work and other WFCL. They also reported on the trafficking of minors for work in cocoa agriculture under slavery-like conditions (ILO/IPEC 2005). The international cocoa and chocolate industry rejected some early media reports as “false and excessive” (ECA, undated). However, facing the potential risk of boycotts and sanctions, Industry acknowledged that working conditions in the cocoa fields were often unsatisfactory and the rights of children were sometimes violated.

A series of negotiations was started among representatives of the cocoa/chocolate industry and stakeholders including US Senator Tom Harkin, US Representative Eliot Engel, US Senator Herb Kohl, the International Labor Organization (ILO), labor unions, consumer rights organizations and other civil society organizations. The discussions resulted in the “Protocol for the growing and processing of cocoa beans and their derivative products in a manner that complies with ILO convention 182 concerning the prohibition and immediate action for the elimination of the worst forms of child labor” – the Harkin-Engel Protocol – signed on September 19, 2001.

In the Harkin-Engel Protocol, the international cocoa/chocolate companies voluntarily committed themselves to pursue key actions and steps to eliminate the worst forms of child labor in the cocoa sector including:

- Public Statement of Need for and Terms of an Action Plan – “...while the scope of the problem is uncertain, the occurrence of the worst forms of child labor in the growing and processing of cocoa beans and their derivative products is simply unacceptable. Industry will reiterate its acknowledgment of the problem and in a highly-public way will commit itself to this protocol”;
- Formation of Multi-Sectoral Advisory Groups – “an advisory group will be constituted with particular responsibility for the on-going investigation of labor practices in West Africa...Industry will constitute a broad consultative group with representatives of major stakeholders to advise in the formulation of appropriate remedies for the elimination of the worst

- forms of child labor in the growing and processing of cocoa beans and their derivative products”;
- Signed Joint Statement of Child Labor to be Witnessed at the ILO – “a joint statement made by the major stakeholders will recognize, as a matter of urgency, the need to end the worst forms of child labor in connection with the growing and processing of West African cocoa beans and their derivative products and the need to identify positive developmental alternatives for the children removed from the worst forms of child labor”;
 - Memorandum of Cooperation – “there will be a binding memorandum of cooperation among the major stakeholders that establishes a joint program of research, information exchange, and action to enforce the internationally-recognized and mutually-agreed upon standards to eliminate the worst forms of child labor in the growing and processing of cocoa beans and their derivative products and to establish independent means of monitoring and public reporting on compliance with those standards”;
 - Establishment of Joint Foundation – “industry will establish a joint international foundation to oversee and sustain efforts to eliminate the worst forms of child labor in the growing and processing of cocoa beans and their derivative products...The foundation’s purposes will include field projects and a clearinghouse on best practices to eliminate the worst forms of child labor”; and
 - Building Toward Credible Standards – “the industry in partnership with other major stakeholders will develop and implement credible, mutually acceptable, voluntary, industry-wide standards of public certification, consistent with applicable federal law, that cocoa beans and their derivative products have been grown and/or processed without any of the worst forms of child labor” (The Harkin-Engel Protocol).

Over the next years, pilot certification, monitoring and verification systems were tested, a foundation was created – the International Cocoa Initiative (ICI) – and pilot projects and a number of project activities supported by Industry were initiated in the cocoa-growing regions. Following the signing of the Protocol, the International Institute of Tropical Agriculture (IITA) was tasked with implementing surveys in the cocoa-growing regions in Ghana, Côte d’Ivoire and other cocoa producing countries (IITA 2002). Other quantitative and qualitative studies followed. However, due to the complexity of the subject and methodological problems, it remained unclear how many children were involved in different worst forms of child labor in the cocoa sector. It also remained unclear if the situation on the ground was evolving, and the extent and what impact, if any, the Industry-supported activities were having on the population.

The first five years after the signing of the Protocol were complicated by the political crisis in Côte d’Ivoire and progress was slower than hoped for by Senator Harkin and Congressman Engel. On July 1, 2005 an extension was agreed upon by all parties, which gave Industry three additional years to effectively implement the original conditions of the agreement. (Harkin-Engel Protocol and Joint Statement 2005 are attached to this report as Appendix 1 and Appendix 2, respectively.) In June 2008, the deadlines were again extended and another milestone was established – the full implementation of “sector-wide” certification, with fully independent verification – to be completed by the end of 2010 (see Appendix 3).

Project Organization and Management

As part of Tulane University, the Payson Center for International Development and Technology Transfer is an international, interdisciplinary center with a mission of fostering social and economic development by understanding and using information. Established in 1997 by the Tulane Board of Administrators, the Payson Center focuses on the development of innovative solutions using knowledge management and information technology as an engine for social sector management, capacity building, monitoring and evaluation (M&E), and social and economic development.

The Payson Center has developed numerous interventions and programs within the field of International Development with an emphasis on public policy and development and providing support to the public and private sectors. The Center has participated in initiatives covering a broad spectrum of primary sustainable development program areas including public health and welfare policy promotion, evaluation and information technology support, education, disaster mitigation, and support to higher education in Africa, Asia and Latin America. Specifically in Africa, the Center has a long-standing partnership with the West African Health Organisation (WAHO), which is the first sustainable and functional sub-regional entity within the Economic Community of West African States (ECOWAS) community that is charged with a sub-regional mandate to protect the health of the West African people.

The management structure of the Tulane University oversight project has evolved over the past two years due to differences encountered in the field as well as changes in the research and political environments. Dr. William Bertrand is the principal investigator of the project. Dr. Elke de Buhr is the monitoring/data collection specialist and has concentrated on survey-related activities and other research and monitoring tasks. Administrative activities at Tulane are currently distributed amongst Ms. Jonathan Johnson and Ms. Doris O'Sullivan.

The most important and positive change in our administrative organization has been the increased involvement and support of our African-based organizations. At our bases of operation in both Côte d'Ivoire and Ghana, we have contracted with institutions that represent the very best in national and regional research expertise. To coordinate activities in both countries and to provide a regional perspective, our long-term partnership with WAHO, our logistic and technical regional partner, has already begun to attract the attention of neighboring countries with similar objectives of improving child health. WAHO has assigned a full-time staff professional, Mr. Chris Bayer, to the project and has made interns available from the regional Fellowship Program that they manage to assist in research and administrative tasks. WAHO's contributions to the project are directed by Dr. Johnson, WAHO's Deputy Director General, and coordinated by its Director of Strategic Planning, Mr. Zouma.

On the national scene, our two major partners are recognized as the premier research institutions for survey and related social science research in their respective countries. In Ghana, we are working with the Institute of Statistical, Social and Economic Research (ISSER). ISSER is a University of Ghana research institute established in 1962. The professional staff includes investigators with excellent academic credentials and extensive research experience. ISSER has a strong record of quality policy research in

the arena of social science and related issues. The Institute also operates a training program that specializes in issues related to public service statistics.

In Côte d'Ivoire, we have partnered with the Ecole Nationale de Statistique et d'Economie Appliquée (ENSEA). Established in 1961, ENSEA provides graduate degrees in statistics and applied economics. The professional staff has expertise and experience in research design, methodology, field studies, related statistical analyses and data presentation. Their record of prior research studies in collaboration with multiple organizations includes WHO, UNFPA, OCHA, IOM, UNDP, UNICEF, UNHCR, WFP, FAO, and PSI. In addition, ENSEA has a record of training government officials in various aspects of public policy-related statistical issues, which we believe will be particularly useful in the transfer of methods and skills acquired during this research to national government officials.

The final management aspect of this applied research activity relates to consultations with national and international experts on all aspects of methodology. Our initial plan was to augment the research advisory group with individuals who had professional credentials, experience and availability to work with us in developing methods and approaches to respond to these complex questions. This activity has been delayed somewhat due to the understandable desire of the Governments of Côte d'Ivoire and Ghana to have greater representation in the technical review process. In August 2008, a technical working group between Tulane and the Government of Ghana has been initiated and a similar initiative is being coordinated with the Government of Côte d'Ivoire.

Although the ultimate measure of the worst forms of child labor is dependent upon the impact of the labor upon the health of the child, relatively few medical and public health experts have been consulted regarding measurement issues related to this outcome. We have therefore engaged national consultants, who are medical experts with experience in the measurement of morbidity related to occupation. We believe that this will be a new and positive technical approach to assist in developing the operational definitions so necessary in this project. In addition, in order to add to local expertise regarding the visualization of data, we have also included an Ivorian Geographic Information System (GIS) consultant, Dr. Etien Koua, in our technical team.

In general, the minor adjustments to the management framework presented in the original proposal have been made in such a way so as not to affect the cost or the functioning of the project. The deterioration of the US dollar over the project lifespan (15-18%) has meant a more streamlined approach. We expect to move forward with an increased emphasis on involving competent and well-trained national personnel as well as expanding our base of individuals who can work in a collaborative and professionally responsible manner on this complex and important problem.

The Certification System

A key component of the Harkin-Engel Protocol is the creation of industry-wide standards of public certification. Task 1 of the DOL–Tulane University contract calls for an assessment of progress made by Industry and the Governments of Côte d'Ivoire and Ghana towards development and implementation of credible, mutually-acceptable, voluntary, industry-wide standards of public certification, covering at least 50 percent of the cocoa-growing area in each country.

Methodology

Monitoring and assessment activities on certification began in October 2006 and continued in 2007 and 2008. As part of this activity, we systematically reviewed documents including the text of the Harkin-Engel Protocol and subsequent joint statements, Ghanaian and Ivorian policies and surveys, Industry documents, and NGO reports, among others. In addition, information was obtained from websites and interviews with representatives¹ of:

- The cocoa/chocolate industry;
- Governments, national, regional and international organizations;
- Labor unions and NGOs;
- Universities, research and development organizations; and
- Certification and corporate social responsibility associations.

Certification systems and/or related remediation actions such as education, farmer training, sensitization and rehabilitation were discussed.

Harkin-Engel Protocol on Certification

The Protocol includes a commitment by Industry to develop and implement voluntary, industry-wide standards of public certification. The Harkin-Engel Protocol does not directly refer to a fair trade, ethical trade or another values-based certification system. However, the Protocol does refer to a specific set of conditions. It states that “*industry in partnership with other major stakeholders will develop and implement credible, mutually-acceptable, voluntary, industry-wide standards of public certification, consistent with applicable federal law, that cocoa beans and their derivative products have been grown and/or processed without any of the worst forms of child labor.*”

Industry Definition of Certification

The Industry definition has been evolving. On September 21, 2007, Industry sent Tulane a report with a revised definition of certification and additional information: “Certification

¹ See Appendix 4 for a list of sources.

for Cocoa Farming: Submission to Tulane University. Submitted on behalf of CAOBISCO, CMA, CMA, CMA, ECA, NCA and WCF. September, 2007.” The revised definition, referred to as a “certification concept” is:

Certification will provide a clear, statistically valid and representative view of labor conditions across the cocoa sectors of Ghana and the Ivory Coast, on an annual basis. It uses this information to identify both problem areas and the actions required to address them. And it measures the success of efforts to address labor problems and supports the economic and social development of cocoa farming communities (ibid, p. 13).

The 2007 Model of Certification is reproduced below in Figure 1.

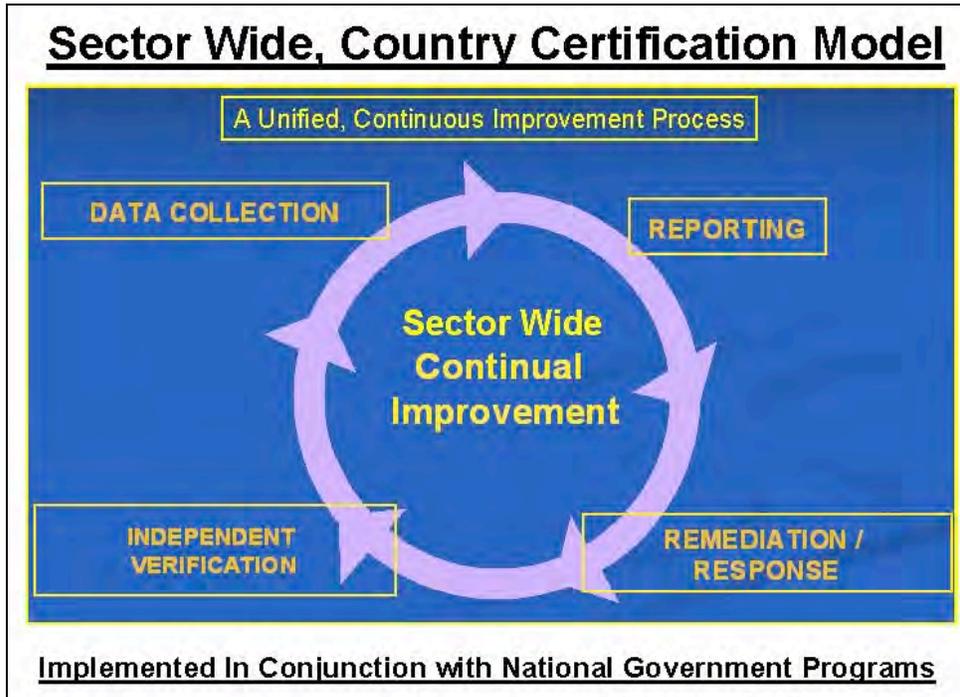
Figure 1. Model of the Certification Process, 2007



Source: Industry PowerPoint, 2007.

Industry has since modified their Certification model as shown below in Figure 2, grouping the steps of Corrective Actions and On-the-Ground Programs to Remediation/Response.

Figure 2. Model of the Certification Process, 2008



Source: Industry submission to Tulane, 2008.

Certification as defined by Industry includes:

- A statistically representative family, farm and community-based data collection on the incidence of WFCL and FAL in a country's cocoa-growing area.
- Publicly available annual reporting on the nature and impact of remediation efforts focused on the elimination of the WFCL and FAL (including rescue, rehabilitation and repatriation, as needed).
- Independent verification of the data collection and reporting.

Certification does not include:

- Individual reporting on each of the estimated 2 million small-holder farms growing cocoa in West Africa.
- A guarantee that no instances of the WFCL or FAL exist in a country's cocoa sector.

The Industry-government understanding of "certification" is a report of conditions and of progress made to improve them. The certification process does not require Industry or government to establish or meet measurable targets for improvement. It does not include indicators or targets, nor does it call for setting them once a baseline is established.

The definition was developed by Industry and involved discussions with representatives from Ghana and Côte d'Ivoire. It appears to be accepted by the government-led child labor committees in each country. The model frames the background for the certification surveys conducted in Ghana and in Côte d'Ivoire in 2007/2008.

In a letter dated March 19, 2008, Senator Harkin and Representative Engel expressed their support of the Industry's certification model. The letter also identified four steps that need to be included in the process of establishing this system of certification:

1. Representative farm-level surveys to evaluate labor practices in the region;
2. Public reporting of the process;
3. A coordinated set of remediation activities to drive change throughout the cocoa sector; and
4. A third party, independent verification that information presented by the certification process is credible and transparent and available to the public.

While there is no clear linkage between certification report findings and investments by Industry to ameliorate problems and improve conditions for children in the cocoa-growing regions, according to Industry, "there are a number of industry-supported programs focused on priority issues raised in the certification reports: education, and children's exposure to unsafe farming tasks. The ECHOES program, for example, is an ambitious effort to improve educational opportunities for children in cocoa farming communities. The Farmer Field Schools effort includes a strong component educating farmers on the tasks that are – and are not – appropriate for children to undertake" (Industry comments to Tulane, 2008).

Certification Surveys for 2007/2008 Harvest Season

During the 2007/2008 cocoa harvest season, the Governments of Ghana and Côte d'Ivoire carried out certification surveys. These surveys, which covered at least 50% of the cocoa-growing areas of the two countries, were an expansion of earlier pilot survey activities. Reports of findings from the certification surveys were released by the Government of Côte d'Ivoire and the Government of Ghana at the end of June 2008.

The certification survey in Côte d'Ivoire was a multi-stage stratified cluster sample covering 36 villages and representing 18 departments covering an area that produces at least 50% of the country's cocoa. There were 36 village interviews, 723 head of household interviews (cocoa producers only), 1313 child interviews and 232 adult worker interviews. The survey was carried out by the National Agency for the Support to Rural Development (ANADER).

Some of the key findings of the Côte d'Ivoire certification survey are as follows:

- Most children live with their parents, 76% live with their father and 72% live with their mother;
- 89% of the interviewed children work in cocoa agriculture;
- Fewer than 2% of the children working in cocoa are not a member of the farmer's household;
- Most children are exposed to hazards while working (different types);

- 17% of the children report previous exposure to violence while working on the farm (verbal and physical);
- No child reports having been forced to work to pay off any debts; and
- Limited access to education, 9% of the villages do not have a primary school, 27% of the children never went to school and 60% cannot read.

The Ghana Certification Survey was a multi-stage stratified cluster sample covering 60% of cocoa production (using 2003/04 data). There were 1749 household interviews, 3452 child interviews, 1391 adult worker interviews, 104 community key informant interviews and 66 focus group discussions. The Ghana study was carried out by a multidisciplinary team of the TWG, consisting of researchers from Department of Agricultural Economics and Agribusiness of the University of Ghana, University of Ghana Medical School, Ghana Statistical Service, Cocoa Research Institute of Ghana, Ghana Cocoa Board, UNICEF and MMYE.

The key findings from the Ghana Certification Survey include:

- 76.5% of the interviewed children live with their parents;
- 35% of children work on cocoa farms;
- Nearly 90% of all children engage in domestic chores;
- 92.6% of children in school but 54% cannot read and write;
- Children from cocoa-growing and non-cocoa growing households did not differ with regard to access to education;
- Children work (all economic activities) most often on weekends (>50%), holidays (42%), and after school (23.5%), or when their parents need them (10%);
- 46.7% of children had participated in at least one hazardous cocoa activity during the last cocoa farming season;
- 1.2% of children were involved in application of pesticides;
- There were no reports of trafficked children and no children found in debt bondage; and
- Most of the children work on family farms and do not expect to be paid for their work. Only 65 children (0.9%) received cash payment and 5 children (0.1%) had payment made to their parents (N=1013).

Both countries, while using a stratified sampling methodology, did not weight the data and neither Côte d'Ivoire nor Ghana attempted to generate population estimates that are representative of the population.

While differing in methods and coverage, the government certification surveys show some differences but also many similarities compared with the Tulane results. Although we believe that the review of raw data from the three surveys will provide much greater useful detail, the data reported to-date by the countries are consistent with the recommendations emerging from Tulane's work. (The subsequent chapter on survey research will provide some additional detail.)

Cooperation and joint analysis along with the exchange of data sets in no way interferes with objectivity in Tulane's reporting. First, the core of our analysis was completed before we examined the other data sets. Second, the added validation of the other data sets actually serves to confirm findings and strengthen the analysis. Tulane retains full physical and intellectual control over the data analysis reported here and has included comments from the countries in this report in order to clearly present any differences or

suggestions that may have emerged from interaction between researchers. We also applaud the open and frank discussions that have emerged from our cooperation with the national entities involved. We believe these dialogues have added to the overall objective of better understanding and reporting with an ultimate goal of eliminating the worst forms of child labor in the cocoa sector.

June 30 Deadline and Extension of Milestones

Since the Harkin-Engel Protocol was signed, two major deadlines have passed and some of the milestones specified in the Protocol have been extended two times. While some Protocol requirements were achieved by the initial July 1, 2005 target date, Industry and other stakeholders did not establish and implement a certification system with “industry-wide standards of public certification.” This shortfall was a major factor that contributed to the first extension until June 30, 2008.

The June 30, 2008 deadline for implementing the Harkin-Engel Protocol passed with the certification and verification systems still evolving. Both countries however had completed their first certification surveys by the deadline. Senator Harkin, Representative Engel and representatives of the Industry released a Joint Statement on June 16, 2008. In this statement, Industry expressed commitment to fully establish certification efforts and remediation activities by the end of 2010. According to the press release, in the next 2-3 years, this commitment will include:

- Industry will work with the Governments of Côte d'Ivoire and Ghana to have a sector-wide independently verified certification process fully in place across each country's cocoa-growing sector by the end of 2010.
- Industry will work closely with and assist the Governments of Côte d'Ivoire and Ghana as they target and coordinate remediation efforts, based on the results from the certification data reports.
- Companies will deepen their support for the ICI as the foundation expands to additional communities in Côte d'Ivoire and Ghana, further strengthens government capacity at the national level, and educates key stakeholders in the cocoa supply chain on safe, responsible labor practices.

The Joint Statement 2008 is attached to this report as Appendix 3. In its comments to Tulane, Industry states that “while elements of the model [certification and verification] will evolve (for example, verification, remediation and benchmarks), the model itself will endure” (Industry comments to Tulane, 2008).

Certification Surveys – Next Round?

In August 2008, the Government of Ghana informed Tulane that it does not currently intend to carry out another certification survey during the 2008/2009 cocoa harvest season. Instead, the government plans to decentralize the certification process by developing a child labor monitoring system (CLMS) and working with and educating local government entities as the monitoring authority. Côte d'Ivoire also is aware of the need

to implement at the local level and is moving, in a more difficult political environment, in a similar direction.

Conclusions

The Harkin-Engel Protocol and the continuing commitment by multiple stakeholder groups continue to have a positive impact on the scale and pace of Industry, government and other institutional efforts to address the problem of WFCL in Côte d'Ivoire and Ghana. Public interest underscores the importance of the Protocol and the Congressional mandate to verify progress towards the elimination of WFCL in the cocoa/chocolate industry.

Industry, in collaboration with the Governments of Côte d'Ivoire and Ghana and other local partners, has taken steps to develop a model for an industry-wide, public and transparent certification system. The model has been presented at meetings and is discussed in public documents and on the web. It can, therefore, be viewed as "public." While the strict application of the "no forced labor" requirement in the Harkin-Engel Protocol does not appear feasible, a large gap remains between the core features of a "certification system" – standards, measurable objectives, targets and indicators – and the activities currently in place. However, there is an evolving model of a "certification process" or "certification model" that reports on conditions of WFCL and efforts to address the problem. Such a process is a necessary step in the development of any standardized "certification system" and as such we believe represents progress supported by Industry and the Governments concerned.

We believe that efforts to decentralize the certification process by working with and educating local government entities as the monitoring authority are a promising approach to a workable certification model. However, with limited information available and in an evolving environment, it is not clear at present what these future certification models will look like, whether or not they will meet the requirements of the Harkin-Engel Protocol, and if they will be in line with the current understanding between Industry and other stakeholders. Both Governments are facing elections within the next few months that could potentially impact these processes through changes in personnel. Tulane is continuing to track this process and provide assistance and documentation as needed.

Recommendations

1. Continue the cooperative efforts between the Governments of Côte d'Ivoire, Ghana and the international cocoa/chocolate industry and other stakeholders to revise and standardize the methodology of certification.
2. Increase the emphasis and budget on effective remediation activities while maintaining certification and verification processes.
3. Ensure continued financial commitment by Industry to both certification and verification.

4. Establish quantifiable performance objectives against which verification will take place.
5. Identify regional or international organizations that could support and continue the certification process.

Child Labor Monitoring and Verification Systems

Task 2 of the USDOL–Tulane University contract calls for Tulane to assess progress towards the establishment and implementation of a Child Labor Monitoring System (CLMS) and an independent Verification System. The systems should be designed to provide information to verify progress made in Côte d'Ivoire and Ghana to implement the Harkin-Engel Protocol including efforts to certify cocoa as child labor free, to eliminate exploitative child labor from the cocoa sector, and to provide education and rehabilitative services to children withdrawn from exploitative labor.

Tulane University's monitoring and assessment activities on the CLMS and Verification systems started in October 2006 and continued in 2007 and 2008. They included the collection and review of pilot CLMS reports, any information available on the evolving efforts to establish a verification system, and Industry, NGO and government documents on plans, activities and outcomes of project activities in support of children in the cocoa-growing areas. Additional information was obtained from representatives of the chocolate/cocoa industry, members of the International Cocoa Verification Board (ICVB), the newly selected verifying organizations, Fafao and Khulisa, and other stakeholder groups. Tulane team members also participated as observers in relevant conferences such as the ICVB-sponsored forum "Why Verify? Making Cocoa Verification Count" in April 2008.

The Child Labor Monitoring System

Efforts to implement a child labor monitoring system in Côte d'Ivoire and Ghana were initially carried out under the USDOL and Industry-financed West Africa Cocoa/Commercial Agriculture Programme to Combat Hazardous and Exploitative Child Labour (WACAP). WACAP was a pilot project that attempted to develop and test a methodology to understanding labor issues on cocoa farms and the program was implemented by the International Labor Organization (ILO).

According to the ILO, labor monitoring "involves the identification, referral, protection and prevention of child laborers through the development of a coordinated multi-sector monitoring and referral process that aims to cover all children living in a geographical area" (<http://www.ilo.org/public/english/standards/ipec/themes/clm/index.htm>). It includes periodic, repeated direct observations to identify child laborers, the risks they are exposed to, referrals of children to services, verification of removal and tracking them to monitor that they have satisfactory alternatives.

The design, pilot testing and development of a CLMS was initially financed (US \$518,000) by the USDOL-funded ILO/IPEC WACAP project. The first pilot test of the CLMS was conducted in Ghana. It covered:

- Five districts;
- The legal framework of child protection;
- Trafficking;
- Children withdrawn from WFCL;

- The organizational and administrative context; and
- IPEC and other programs and projects.

The CLMS instruments include 4 baseline survey and monitoring questionnaires. The pilot surveys focused primarily on working children who received WACAP support but they also included others who were not beneficiaries.

The continuation and expansion of the CLMS is included in the Ghana National Programme for the Elimination of WFCL in the Cocoa Sector: 2006 - 2011 (MMYE and COCOBOD). It calls for the establishment of community and district registers of all children 0-17 years old, data collection and reporting procedures, a central database and Community Child Labor Monitoring Committees. It includes the generation of data using surveys, rapid assessments and case studies on WFCL, and issues such as school performance and trafficking (*ibid*).

In 2005, the Government of Côte d'Ivoire designed a Child Labor Monitoring System and pilot-tested the instruments and system in Oumé District. The Ivorian CLMS includes components on the institutional framework, legal instruments and programs (e.g. ANADER, WCF, IITA/STCP, Winrock) established to prevent and ameliorate WFCL. The Oumé District survey also reports on demographic characteristics, education, types of children's work, social protection and prevention (Republique de Côte d'Ivoire, Central Coordination Unit, 2005).

The strengthening and expansion of the CLMS is incorporated into Côte d'Ivoire's National Plan Against Exploitation and Child Labor (2007). It addresses actions to monitor the effectiveness of laws and regulations, the withdrawal and repatriation of victims of WFCL and the assessment of the capacity of government agencies to implement preventive measures and remedial actions.

Industry contributed to the initial WACAP effort that included funding to develop the CLMS. However, Industry informed Tulane in 2007 that it did not intend to continue to provide financial support for the system. According to Industry, they ended their financial support for the pilot project because, "WACAP, which focused primarily on communities with access to schooling and on compensating families for sending their children to school instead of working, was found not to be a practical, saleable platform for a certification system covering an entire country" (Industry submission to Tulane, 2008). While efforts to establish a CLMS have been discontinued, Industry has supported the development of data collection systems – the certification surveys – in Côte d'Ivoire and Ghana.

Recently, the Government of Ghana has expressed the intention to focus on establishing a CLMS. According to the Government, "the Government of Ghana is committed to implementation of the CLMS and has already started its operationalization. The Government welcomes further support from industry and other partners" (Government of Ghana submission to Tulane, 2008). In its comments to Tulane, Industry states that "the future of these systems [CLMS] is clear: they are being scaled up to provide 'sector-wide' data coverage, fully verified, by the end of 2010" (Industry comments to Tulane, 2008).

The Verification System

An essential feature of a credible “certification system” is the design and effective implementation of an independent verification system. This principle appears as a component of voluntary certification systems and is included in public documents on certification produced by Industry and the Governments of Ghana and Côte d’Ivoire. For example, a sentence in the Industry statement on certification reads, “Under this definition [of certification], the model being developed will certify that a system is in place to provide...independent verification of the data collection, reporting and remediation efforts.”

Initial Verification Working Groups

In 2004, the initial Verification Working Group (VWG) was established with representation from the National Consumers League (NCL), the International Union of Food Workers (IUF), an Australian university, an independent consultant and the National Centre for Business and Sustainability (NCBS) based in the UK. The group was disbanded at the end of 2005 and a new group was formed. The new VWG retained two of the original members and obtained three new members. The new members included a second person from the NCBS, a US consultant resident in Ghana, and the former Chairman of the Ghana Teachers Association. The activities of the VWG were financed by Industry. The group applied standard verification principles including clear objectives, objectivity and competence, independence, full access to information and transparent reporting (Roberts 2004).

However, the VWG lost support by Industry. According to Industry, “support was ultimately withdrawn when the organizational plan put forward by the original VWG clearly stated that stakeholders such as West African governments and industry would have no involvement in the final decisions taken by the group that was selected to guide the verification process. Industry has consistently noted on this point that while the independence of the verification effort is critical, the decision making processes for verification – especially the selection of the in-field verifiers and the agreement on their scope work – must include the participation of those stakeholders at the center of this issue, to ensure its effectiveness” (Industry submission to Tulane, 2008). Funding by Industry ended in 2006 and the VWG was dissolved in 2007.

Involvement of Verité

The report Industry sent to Tulane University on September 21, 2007 includes an addendum with a “verification update.” It acknowledges the “initial exploratory efforts” and Industry’s commitment to independent verification as being a “critical part of verification.” The addendum notes that Industry met with Verité, a nongovernmental organization that works with factories, NGOs, international investors and governments to “improve social and environmental performance of global supply chains.” Industry approached Verité to address:

- The goal of verification;

- The appropriate (“unique”) form of cocoa farming certification;
- How certification would work; and
- The best approach to certification to ensure that it is sustainable.

At the end of 2007, Verité produced a “Verification Program Roadmap” that appeared to address the same issues and recommended a process that was broadly similar to those outlined by the dissolved VWG. Verité’s “Verification Program Roadmap” laid out a specific, step-by-step approach to developing and implementing a verification program. Key points in the roadmap included:

- The selection of a “convener” to drive the process – in particular, the establishment of a Verification Board;
- Securing buy-in from key stakeholders – early on – to ensure an effective approach;
- Creating Memorandum of Understanding agreements with the Governments of Ghana and Côte d’Ivoire;
- The formation of the Verification Board, with representation divided equally among NGOs, organized labor/academic experts, West African governments, and Industry;
- The formation of the Verification Board as a legal entity – with funding based on best practice approaches used in other industries;
- Through the Verification Board, once convened, the design of an effective verification effort by January 2008;
- Selection of independent, contracted “verifiers” by the Verification Board in early 2008; and
- Commencement of verification audits from mid- to late-2008.

Selection of New Verifiers and First Steps

Following Verité’s recommendations, Industry in December 2007 established the International Cocoa Verification Board (ICVB) to select a new verification group. ICVB members include representatives of Industry, the Governments of Ghana and Côte d’Ivoire, and representatives from NGOs (Afrique Secours et Assistance, the International Initiative to End Child Labor, Child Labor & Education for CARE USA), research institutions and trade unions. In March 2008, the selection process of the new verification group was presented by the ICVB to the international community of stakeholders at a forum in London.

On June 4, 2008, the ICVB formally announced the selection of two organizations to serve as the new verification group:

- Fafo AIS (Norway); and
- Khulisa Management Services (South Africa).

Since June 2008, Fafo and Khulisa started to review methods and data from the first certification surveys carried out by the Governments of Côte d’Ivoire and Ghana. They have released a preliminary report on “Verification of Certification Activities in West African Cocoa Sector” on June 19, 2008. This overview reports on the first steps undertaken by the two organizations. However, it does not yet provide an assessment of

the method or findings of the certification studies or other efforts undertaken by Industry or the Governments of Côte d'Ivoire and Ghana. In the report, Fafo and Khulisa mention plans for a subsample study in October 2008. Industry confirms that Fafo and Khulisa "will next conduct a sub-sample survey in October" and that "the final report – based on their work – is due before the end of 2008" (Industry comments to Tulane, 2008).

Conclusions

In the past 9 months, the ICVB realized Verité's roadmap and new verifying organizations were selected. While the verification process is expensive, it is expected that costs will come down after the start up year and Industry has committed to provide funding through January 2011. However, constraints and open questions remain and the long-term future of verification is uncertain.

Additionally, the independence of the new verification system has been questioned by at least some of the civil society organizations involved in the implementation of the Protocol. In the evaluation literature there is a clear and positive correlation between who funds the activity and positive results in favor of that funding. Furthermore, Industry indicates that support for the original VWG was withdrawn "when the organizational plan put forward by the original VWG clearly stated that stakeholders such as West African governments and industry would have no involvement in the final decisions taken by the group." Industry insists "that while the independence of the verification effort is critical, the decision making processes for verification – especially the selection of the in-field verifiers and the agreement on their scope work – must include the participation of those stakeholders at the center of this issue" (Industry submission to Tulane, 2008).

When presented with these questions, Verité has responded to this critique saying that NGOs also have vested interests. Verité contends that the ICVB commitment to full transparency of all verifier reports is the best guarantee that all information, including potentially challenging information, will be posted for all to see, and that independence is derived from both the robust multi-stakeholder composition of the board and their policies to be transparent and free from conflicts of interest.

At this point definitive conclusions would be premature. Appendices 5a, 5b and 5c include additional documentation provided by Verité in support of their position. While a process has been put in place and a preliminary assessment has begun, the actual establishment of a system in the field has not progressed since last year. Based on the information obtained so far, we believe that the process currently being developed is likely to be credible and that it may serve as a model for the future. However, major structural issues such as sustainability and the independence of the process still need to be addressed.

Recommendations

1. Identify and address structural issues such as sustainability and the independence of the process of verification.

2. Ensure continued short to medium-term financial commitment by Industry to both certification and verification.
3. Industry, USG and the Governments of Côte d'Ivoire and Ghana should work together to identify self-sustaining mechanisms for verification and certification in the long run.

First Annual Harvest Season Survey

As part of the USDOL–Tulane contract, Tulane University is tasked with conducting annual, nationally representative surveys of child labor in the cocoa-growing areas of Côte d’Ivoire and Ghana that produce information on:

- Household demographics and socioeconomic status;
- Estimates of number of children working in the cocoa sector;
- Working conditions of children on cocoa farms;
- Origin and mode of recruitment of hired child labor; and
- School attendance of children in the cocoa-growing areas.

During the November/December 2007 cocoa harvest season, Tulane’s first annual surveys of child labor were implemented in the cocoa-growing areas of Côte d’Ivoire and Ghana. In Côte d’Ivoire, data collection commenced on the 15th of November and lasted until the 27th of December 2007. In Ghana, data collection activities began on the 18th of November and lasted until the 20th of December 2007. The following sections describe the design and implementation of the surveys as well as the survey findings.

Definitions

The definitions used are based on the framework developed by the International Labor Organization (ILO) and the relevant ILO and UN conventions signed by the Governments of Côte d’Ivoire and Ghana as well as the Government of the United States.

Child Work

- “One hour of work during the reference week is sufficient to consider a person as being at work in economic activity during that week.” (ILO/IPEC 2006)
- “Children engaged in domestic chores within their own households, however, are not classified as economically active.” (ILO/IPEC 2006)

Child Labor

- “All children under 15 years of age who are economically active, excluding (i) those under 5 years of age and (ii) those aged 12-14 years who spend fewer than 14 hours a week on their jobs, unless their activities or occupations are hazardous by nature or circumstance. Added to this are children aged 15-17 years, who are involved in hazardous work.” (ILO/IPEC 2006)

Hazardous Work

- “Work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.” (ILO Convention 182)
- “Work which exposes children to physical, psychological or sexual abuse.” (ILO Recommendation 190)
- “Work with dangerous machinery, equipment and tools, or which involves the manual handling or transport of heavy loads.” (ILO Recommendation 190)

- “Work in an unhealthy environment which may, for example, expose children to hazardous substances, agents or processes, or to temperatures, noise levels, or vibrations damaging to their health.” (ILO Recommendation 190)
- “Work under particularly difficult conditions such as work for long hours or during the night or work where the child is unreasonably confined to the premises of the employer.” (ILO Recommendation 190)
- “Work underground, under water, at dangerous heights or in confined spaces.” (ILO Recommendation 190)

Worst Forms of Child Labor

- “All forms of slavery or practices similar to slavery.” (ILO Convention 182)
- “Work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.” (ILO Convention 182)

Survey Methodology and Implementation

A stratified two-stage cluster sampling methodology was used to select a representative sample of agricultural households as well as a representative sample of children between 5 and 17 years in the cocoa-growing areas. The household survey involved interviews with heads of household as well as all children within the age range in the selected households. In addition, community interviews were carried out with schoolteachers, health care providers, and staff members of intervention projects. An identical approach to survey methodology and implementation was used in both Côte d’Ivoire and Ghana.

Stratification and Selection of Clusters

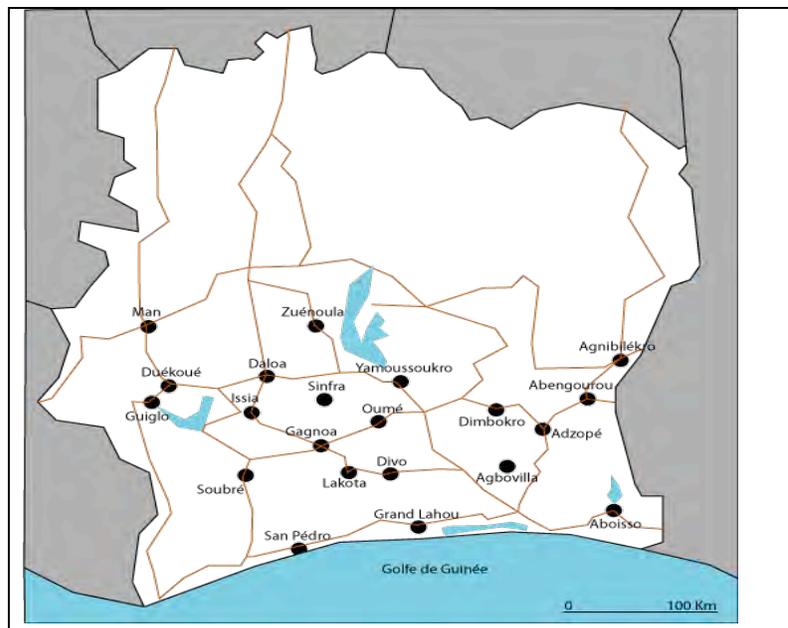
Census districts in Côte d’Ivoire and census enumeration areas in Ghana were used as sampling units to select clusters and respondents. A full listing of census districts/enumeration areas that are located in the cocoa-growing areas was first generated based on data obtained from the census departments of the two countries. Only census districts/enumeration areas that are classified as “rural” or “semi-urban” were included in the sampling frame while those classified as “urban” were excluded. The identified census districts/enumeration areas were then stratified based on levels of cocoa production to ensure that areas with high cocoa production were adequately covered. In a cluster survey design, a minimum of at least 30 clusters have been recommended (Magnani 2007). Exceeding these recommendations, 40 census districts/enumeration areas were selected from the final sampling frame with probability proportional to size (see Table 1).

Table 1. Sampling of census districts/enumeration areas and stratification

	Côte d'Ivoire			Ghana		
	% of cocoa production	Total # of census districts/ enumeration area (rural and semi-urban only)	# of census districts/ enumeration areas selected	% of cocoa production	Total # of census districts/ enumeration area (rural and semi-urban only)	# of census districts/ enumeration areas selected
Strata 1	84.5%	4,179 (38.5%)	30 (75%)	56.9%	1,178 (14.9%)	21 (52.5%)
Strata 2	15.2%	3,761 (34.6%)	8 (20%)	42.8%	6,351 (80.2%)	17 (42.5%)
Strata 3	0.3%	2,921 (26.9%)	2 (5%)	0.3%	389 (4.9%)	2 (5%)
Total	100%	10,861 (100%)	40 (100%)	100%	7,918 (100%)	40 (100%)

The maps below identify the selected clusters (see Figures 3 and 4). Sometimes, several clusters were found in close proximity and thus the number of locations indicated on the maps may be smaller than 40.

Figure 3. Location of 40 census districts in Côte d'Ivoire



Source: Ecole Nationale de Statistique et d'Economie Appliquée (ENSEA)

Figure 4. Location of 40 census districts in Ghana



Source: Institute of Statistical, Social and Economic Research (ISSER)

Sample Size and Selection of Respondents

The calculation of the minimum number of agricultural households required to generate representative population estimates is presented below. The sample size required to estimate prevalence with 95% confidence limit is:

$$N = \frac{1.96^2 \times (P)(1-P)}{d^2} \times \text{deft}$$

1.96 = Z value for $\alpha = 0.05$ or 95% confidence limits

P = estimated prevalence (varies, set at 0.5)

d = desired precision (0.05 for $\pm 5\%$)

deft = design effect = 2 (estimate)

$$N = \frac{1.96^2 \times (0.5)(1-0.5)}{0.05} \times 2 = 768 \text{ (agricultural HH)}$$

N = 768 + 10% allowance for non-response = 844.8 (agricultural HH)

Magnani recommends selecting not more than 40-50 households per cluster (Magnani 2007). In accordance with this recommendation, in each of the 40 clusters the target sample size of completed interviews was:

- 20 agricultural households per cluster;
- 20 heads of household/caregivers (one per household, “most knowledgeable adult”); and
- 50 children (all children between 5-17 in the selected household).

In addition to the household sample, the following interviews were carried out in each of the selected clusters:

- 1 principal/teacher, elementary school;
- 3 students per grade, elementary school;
- 1 principal/teacher, secondary school (if a secondary school was located within walking distance and the children in the cluster area were able to walk to the school in the morning and return home at night);
- 3 students per grade, secondary school (if a secondary school was located within walking distance);
- 1 director/staff member, nearest health center (if available to the community); and
- Staff members of intervention projects in support of children (if available).

The interviews in schools, health centers and intervention projects were included to provide additional detail and means of comparison to the household-based population survey. Due to the small sample size and sampling process, these samples were not representative of the population.

Household Survey

In the selected clusters, the interviewers were asked to prepare a complete enumeration of all households living within the borders of the identified area. A household was defined “as a person or group of persons who live together in the same house or compound, share the same housekeeping arrangements and are catered for as one unit. Members of a household are not necessarily related (by blood or marriage) and not all those related in the same house or compound are necessarily of the same household” (ILO definition).

From the listing of households, the interviewers then selected a sample of households with equal probability including only households that are involved in agriculture (“agricultural households”). Households were classified as agricultural households if at least one member of the household – either adult or child – had performed work in agriculture in the past 12 months. The vast majority of households in the selected clusters were agricultural households.

In the selected households, the interviewer first interviewed an adult using the “household questionnaire” and the “caregiver questionnaire.” Based on ILO methodology, the “most knowledgeable member of the household” was interviewed. In most cases, this was the head of the household. The same individual responded to both the household and caregiver questionnaires. Afterwards, all children in the household

between 5 and 17 were interviewed using the “child questionnaire” (refer to Appendix 13). Adults and children were interviewed individually without any other member of the family listening to the interview. If a household did not have any children between 5 and 17, only the adult (head of household) was interviewed.

Elementary School Survey

In addition to the sample of households, an elementary school was selected in each of the clusters. First, all elementary schools in the selected area were identified. If only one elementary school was located in the cluster, this school was selected. If several elementary schools were located in the cluster, one elementary school was selected with equal probability. If no elementary school was located in the selected cluster, the elementary school closest to the cluster was selected. If more than one elementary school was located with equal distance to the selected cluster, we selected one school with equal probability. In each cluster, only one elementary school was selected.

The interviewers first interviewed the principal of the selected school (or the next highest ranking teacher/administrator in case the principal was not available) using the “teacher questionnaire.” After completing the teacher interview, three students per grade level were interviewed using the “child questionnaire.” The interviewed students were selected with equal probability based on a complete listing of all students. All interviews took place on a one-on-one basis.

Interviews at Secondary Schools

Interviews at secondary schools were only carried out if a secondary school was located within walking distance of the selected clusters. If a secondary school was identified, the selection process of the school was the same as the approach used to select the elementary schools. Similar to the interviews at the elementary schools, the school’s principal and three randomly selected students per grade level were interviewed.

Health Center Interviews

One health center per cluster was selected for the health center interview. If a health center was located within the boundaries of the selected cluster, this health center was selected. If the cluster did not have a health center, the health center closest to the selected cluster was identified and this health center was selected. If there was more than one health center within equal distance from the selected cluster, we selected one of these health centers with equal probability. The director of the health center (or the next highest ranking medical staff/administrator, if the director was not available) was interviewed using the “health center questionnaire.” In a few cases, no health center was available to the community.

Project Interviews

Project activities in support of children in the cocoa-growing areas were identified as part of the interviews with caregivers and children. The child questionnaire and the caregiver questionnaire both included specific questions regarding community projects in the area. These projects could be ongoing or they could have recently been completed (last 2 years). If a project was identified by one of the interviewed adults or children, the

interviewers were asked to interview the most knowledgeable person available to provide further information about the project, usually a current or former staff member of the project. The selected individual was interviewed using the “project questionnaire.”

Infrastructure Checklist

Infrastructure checklists (covering indicators such as road access, access to electricity, etc.) were completed by the survey team for each of the selected clusters based on observation and interviews with community members. The survey team was asked to complete one checklist per town/village/settlement.

Number of Interviews Completed

The final sample consists of 839 households in Côte d’Ivoire and 863 households in Ghana. This includes a minimum of 20 households in each of the selected clusters. In the selected households, 6,024 individuals were identified in Côte d’Ivoire and 5,433 individuals were identified in Ghana. In Côte d’Ivoire, 826 caregiver interviews and 2,236 child interviews were completed in the selected households. In Ghana, 866 caregiver interviews and 2,084 child interviews were completed.

In addition to the household survey, 40 teacher interviews and 727 interviews with school children were completed in Côte d’Ivoire. Thirty-four health center interviews, 5 project interviews, and 40 infrastructure checklists were also completed in Côte d’Ivoire. In Ghana, 51 teacher interviews, 832 interviews with children at school, 40 health center interviews, 24 project interviews, and 51 infrastructure checklists were completed (see Table 2).

Table 2. Number of interviews completed

	Côte d’Ivoire	Ghana
Household interview	839 (households) 6,024 (individuals)	863 (households) 5,433 (individuals)
Head of household/ caregiver interview	826	866
Child interview (household sample)	2,236	2,084
Teacher interview	40	51
Child interview (school sample)	727	832
Health center interview	34	40
Project interview	5	24
Infrastructure checklist	40	51

Informed Consent and Non-Response

The interviewers were instructed to follow strict guidelines on how to ask for consent from adult respondents and assent from child respondents. These guidelines were approved together with the survey methodology and the questionnaires by the Tulane

Institutional Review Board (IRB) prior to data collection. In addition to the Tulane IRB, approval to carry out the study was obtained from the relevant authorities in Côte d'Ivoire and Ghana.

The interviewers were trained in how to respond to survey non-response. According to Magnani, "when there is no reply from a target household in a sample cluster, inquiries should be made from neighbors as to (a) whether the dwelling unit is inhabited and if so, (b) what time the residents are usually home. If the dwelling unit is not occupied, no further action is required. If it is, at least one (and better still more) revisit(s) should be made, preferably at the time of day that the neighbor indicated that the residents were usually home" (Magnani 1997). The interviewers were asked to follow such guidelines.

In practice, the interviewers spent several days in each of the communities and appointments were taken with the selected respondents. While adult response rates were close to 100%, the interviewers sometimes were unable to reach all children between 5 and 17 years in the selected households. A total of 2,377 children between 5 and 17 years were identified in the selected households in Côte d'Ivoire and a total of 2,445 children were identified in Ghana. Among these children, interviews were completed with 2,236 children (94.1%) in Côte d'Ivoire and 2,084 children (85.2%) in Ghana.

Survey Implementation

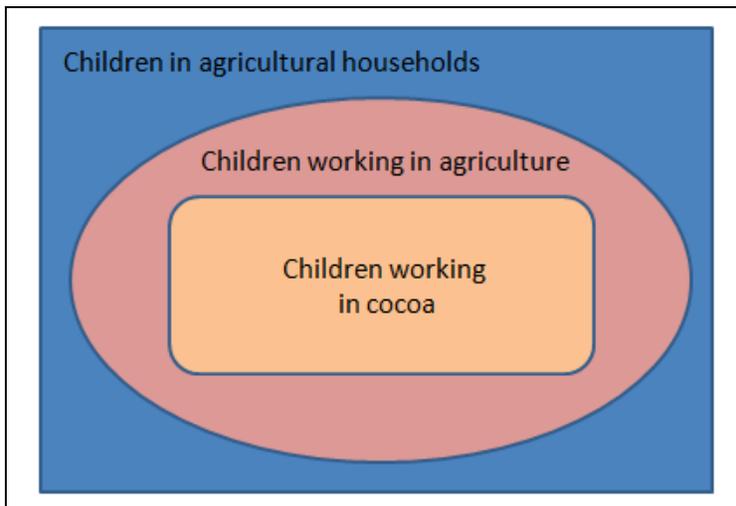
The data were collected in Côte d'Ivoire in collaboration with the Ecole Nationale de Statistique et d'Economie Appliquée (ENSEA) and in Ghana in collaboration with the Institute of Statistical, Social And Economic Research (ISSER). ENSEA and ISSER were in charge of selecting the interviewers and implementing the data collection in the field. The selected interviewers, 35 interviewers in Ghana and 26 interviewers in Côte d'Ivoire, were experienced and almost all of them had conducted previous surveys. The interviewers were grouped into teams led by a supervisor and team leader. It was ensured that within each team the relevant local languages were spoken and that there was a balance of male and female team members. The interviewers were oriented by Tulane and ENSEA/ISSER over several days. The orientation of interviewers included training in child protection standards and child-centered methods facilitated by Anita Sheth of Save the Children Canada. The data were collected over a period of six weeks in November and December 2007.

Survey Results

The final data sets from Tulane's first survey of child labor in the cocoa-growing areas of Côte d'Ivoire and Ghana consist of more than 1,700 indicators. The analysis of results presented focuses on those indicators most relevant to the assessment of child labor and the implementation of the Harkin-Engel Protocol. This covers respondent characteristics, household and farm characteristics, economic activities and household work performed by children, working hours, minimum age, working conditions and hazards, and school attendance and vocational training. All population estimates and totals are weighted to adjust for sampling method except if otherwise noted. Results are reported for (a) children in agricultural households (including both working and not

working children between 5 and 17 years), (b) children working in agriculture (including children between 5 and 17 years who performed work in agriculture in the past 12 months, both cocoa agriculture and/or other types of agriculture), and (c) children working in cocoa (including only children between 5 and 17 years who performed work on a cocoa farm in the past 12 months).

Figure 5. Survey population: Children in agricultural households, children working in agriculture, and children working in cocoa



Respondent Characteristics

A look at respondent characteristics of the two samples shows many similarities. The average age of the heads of household/caregivers interviewed in Côte d'Ivoire and Ghana was 46.7 years in Côte d'Ivoire and 47.9 years in Ghana. The average age of the interviewed children was 10.1 years in Côte d'Ivoire and 10.7 years in Ghana. Most of the heads of household/caregivers were male in both countries, and in both countries we identified more male than female children between 5 and 17 years in the selected households (see Tables 3a+b).

Table 3a. Respondent characteristics, Côte d'Ivoire

	Côte d'Ivoire
# of heads of households/caregivers interviewed	839
Average age of heads of households (in years)	46.7
Gender of heads of households	
Male	733 (87.4%)
Female	106 (12.6%)
# of children, 5-17 years, in selected agricultural households	2,377
Average age of children, 5-17 years, in selected households (in years)	10.1
Gender of children, 5-17 years, in selected households	
Male	1,302 (54.8%)
Female	1,075 (45.2%)

Source: Tulane household interview, interview count, all strata.

Table 3b. Respondent characteristics, Ghana

	Ghana
# of heads of households/caregivers interviewed	863
Average age of heads of households (in years)	47.9
Gender of heads of households	
Male	657 (76.1%)
Female	206 (23.9%)
# of children, 5-17 years, in selected agricultural households	2,445
Average age of children, 5-17 years, in selected households (in years)	10.7
Gender of children, 5-17 years, in selected households	
Male	1,324 (54.2%)
Female	1,121 (45.8%)

Source: Tulane household interview, interview count, all strata.

Household and Farm Characteristics

A majority of households in the cocoa-growing areas is involved in cocoa farming, 66% in Côte d'Ivoire and 73% in Ghana. While the cocoa-growing areas in both countries are dominated by small farms, the survey results show that the farms in Côte d'Ivoire tend to be of larger size with an average number of 29.1 hectares owned by the households, 15.3 hectares under cultivation, and 7.5 hectares under cocoa cultivation. In Ghana, farmers report an average number of just 12.8 hectares owned by the household, 9.4 hectares under cultivation and 6.2 hectares under cocoa cultivation. In addition, in Côte d'Ivoire a larger percentage of households report that cocoa is their major source of income (75.9% of households in Côte d'Ivoire and 59.3% of households in Ghana) (see Tables 4a+b).

Table 4a. Household and farm characteristics, Côte d'Ivoire

	Côte d'Ivoire
# of agricultural households in cocoa-growing area	1,046,737
% of households involved in cocoa-growing	66.3
Average # of hectares/acres owned by household	29.1 hectares/ 11.8 acres
Average # of hectares/acres under cultivation	15.3 hectares/ 6.2 acres
Average # of hectares/acres under cocoa cultivation	7.5 hectares/ 3.0 acres
% of households with cocoa as the major source of income	75.9

Source: Tulane head of household/caregiver interview, weighted data, all strata.

Table 4b. Household and farm characteristics, Ghana

	Ghana
# of agricultural households in cocoa-growing area	1,002,109
% of households involved in cocoa-growing	72.9
Average # of hectares/acres owned by household	12.8 hectares/ 5.2 acres
Average # of hectares/acres under cultivation	9.4 hectares/ 3.8 acres
Average # of hectares/acres under cocoa cultivation	6.2 hectares/ 2.5 acres
% of households with cocoa as the major source of income	59.3

Source: Tulane head of household/caregiver interview, weighted data, all strata.

Economic Activities and Household Work Performed by Children

One of the survey objectives was to generate estimates of the total number of children performing different types of economic activities and the percentage of these children in the overall population. Throughout our report two estimates are provided based upon different responses, one from adults interviewed and a second from child respondents in the same households. As a result, all tables reporting these results will differ according to responses. Tables 5a+b are based on reporting by the adult caregivers and Tables 6a+b are based on the reporting of the interviewed children.

Table 5a. Economic activities and household work performed by children, Côte d'Ivoire (adult reporting)

	Côte d'Ivoire	
	Last 7 days	Last 12 months
# of children, 5-17 years, in agricultural households in cocoa-growing area	2,962,265	2,962,265
% of children, 5-17 years, performing agricultural work (incl. children working in cocoa)	52.0	66.3
% of children, 5-17 years, performing work on a cocoa farm	31.4	45.8
% of children, 5-17 years, performing economic activity other than agriculture	20.1	26.5
% of children, 5-17 years, performing household work	73.6	81.7

Source: Tulane household interview, weighted data, all strata.

Table 5b. Economic activities and household work performed by children, Ghana (adult reporting)

	Ghana	
	Last 7 days	Last 12 months
# of children, 5-17 years, in agricultural households in cocoa-growing area	2,840,194	2,840,194
% of children, 5-17 years, performing agricultural work (incl. children working in cocoa)	64.9	81.7
% of children, 5-17 years, performing work on a cocoa farm	39.2	55.7
% of children, 5-17 years, performing economic activity other than agriculture	8.2	17.3
% of children, 5-17 years, performing household work	86.5	90.6

Source: Tulane household interview, weighted data, all strata.

We found an almost equal number of children between 5 and 17 years in agricultural households in the cocoa-growing areas of Côte d'Ivoire and Ghana (close to 3 million in both cases). Both adults and children reported higher labor force participation rates in Ghana than in Côte d'Ivoire. In Côte d'Ivoire, within the previous 7 days, 54% of the children in agricultural households in the cocoa-growing areas indicated that they had performed work in agriculture, 33% had performed work in cocoa farming, and 28% were engaged in economic activities other than agriculture. In addition, 80% of the children were involved in household chores (see Table 6a). In Ghana, we found 68% of the children indicating involvement in agricultural work, 35% were involved in cocoa farming, 22% participated in economic activities other than agriculture, and 89% were engaged in household work (see Table 6b). The heads of household/caregivers, who reported on work activities performed by each individual household member including all children between 5 and 17 years, indicated similar rates of economic activities and household work performed by the children (Table 5a+b).

Table 6a. Economic activities and household work performed by children, Côte d'Ivoire (child reporting)

	Côte d'Ivoire	
	Last 7 days	Last 12 months
# of children, 5-17 years, in agricultural households in cocoa-growing area	2,961,421	2,961,421
% of children, 5-17 years, performing agricultural work (incl. children working in cocoa)	53.8	67.1
% of children, 5-17 years, performing work on a cocoa farm	32.9	44.8
% of children, 5-17 years, performing economic activity other than agriculture	27.7	30.5
% of children, 5-17 years, performing household work	79.7	83.8

Source: Tulane child interview, weighted data, all strata.

Table 6b. Economic activities and household work performed by children, Ghana (child reporting)

	Ghana	
	Last 7 days	Last 12 months
# of children, 5-17 years, in agricultural households in cocoa-growing area	2,842,127	2,842,127
% of children, 5-17 years, performing agricultural work (incl. children working in cocoa)	67.6	82.5
% of children, 5-17 years, performing work on a cocoa farm	34.9	54.6
% of children, 5-17 years, performing economic activity other than agriculture	21.7	30.7
% of children, 5-17 years, performing household work	88.6	87.9

Source: Tulane child interview, weighted data, all strata.

Working Hours Performed by Children

Children working in cocoa reported a slightly higher average number of working hours in the last 7 days (during the cocoa harvest season) than children who performed work in agriculture but did not work in cocoa. In Côte d'Ivoire, children working in agriculture reported an average number of 14.6 hours of work in agriculture in the past 7 days, which included 10.3 hours on cocoa-related tasks. In addition, 2.9 hours of work on economic activities other than agriculture were performed. These activities include any non-agricultural work classified as economic activity by the ILO. The subsample of children working in cocoa in Côte d'Ivoire reported an average of 16.6 hours working in agriculture in the past week including 15.8 hours on cocoa-related tasks. In addition, 3.1

hours working on economic activities other than agriculture were performed (see Table 8a).

Table 7a. Working hours performed by children, Côte d'Ivoire (adult reporting)

	Côte d'Ivoire (Last 7 days)		
	All children in agricultural households	Children working in agri- culture (incl. children working in cocoa)	Children working in cocoa
Average # of working hours performed by children, 5-17 years, on a cocoa farm	5.5	10.6	17.2
Average # of working hours performed by children, 5-17 years, in agriculture	8.6	16.6	18.9
Average # of working hours performed by children, 5-17 years, in economic activities other than agriculture	2.0	2.8	3.2
Total # of working hours performed by children, 5-17 years, in economic activities (agricultural work and other economic activities)	10.7	19.5	22.2

Source: Tulane household interview, weighted data, all strata.

Table 7b. Working hours performed by children, Ghana (adult reporting)

	Ghana (Last 7 days)		
	All children in agricultural households	Children working in agriculture (incl. children working in cocoa)	Children working in cocoa
Average # of working hours performed by children, 5-17 years, on a cocoa farm	2.2	3.4	6.0
Average # of working hours performed by children, 5-17 years, in agriculture	4.2	6.5	7.0
Average # of working hours performed by children, 5-17 years, in economic activities other than agriculture	0.9	1.1	0.9
Total # of working hours performed by children, 5-17 years, in economic activities (agricultural work and other economic activities)	5.0	7.6	8.0

Source: Tulane household interview, weighted data, all strata.

In Ghana, the average number of working hours in the past 7 days performed by children working in agriculture was 5.9 hours and the number of hours working on a cocoa farm was 2.8 hours. Among children working in cocoa in Ghana, an average number of 6.1 hours in agriculture was reported which includes 4.9 hours on a cocoa farm. Similar to the children in Côte d'Ivoire, children in the cocoa-growing areas in Ghana spent an additional 3 hours on economic activities other than agriculture in the past 7 days (see Table 8b). The reporting by the adult caregivers on child working hours again resembled the reporting by the children (see Tables 7a+b and 8a+b).

Table 8a. Working hours performed by children, Côte d'Ivoire (child reporting)

	Côte d'Ivoire (Last 7 days)		
	All children in agricultural households	Children working in agri- culture	Children working in cocoa
Average # of working hours performed by children, 5-17 years, on a cocoa farm	6.0	10.3	15.8
Average # of working hours performed by children, 5-17 years, in agriculture	8.2	14.6	16.6
Average # of working hours performed by children, 5-17 years, in economic activities other than agriculture	2.1	2.9	3.1
Total # of working hours performed by children, 5-17 years, in economic activities (agricultural work and other economic activities)	10.4	17.5	19.7

Source: Tulane child interview, weighted data, all strata.

Table 8b. Working hours performed by children, Ghana (child reporting)

	Ghana (Last 7 days)		
	All children in agricultural households	Children working in agri- culture	Children working in cocoa
Average # of working hours performed by children, 5-17 years, on a cocoa farm	2.0	2.8	4.9
Average # of working hours performed by children, 5-17 years, in agriculture	4.1	5.9	6.1
Average # of working hours performed by children, 5-17 years, in economic activities other than agriculture	2.6	3.0	2.9
Total # of working hours performed by children, 5-17 years, in economic activities (agricultural work and other economic activities)	6.7	8.9	9.0

Source: Tulane child interview, weighted data, all strata.

Working Hours and Minimum Age

Based on ILO standards (ILO, 2006), children under 12 years should not work. Children between 12 and 14 years are allowed to work up to 13 hours per week if the activities performed are not of a hazardous nature. Children between 15 and 17 years can work up to 42 hours on non-hazardous activities. The survey data indicate that in the cocoa-growing areas of Côte d'Ivoire and Ghana, children often exceed the limits of working hours for their age group set by the ILO. While laws in Côte d'Ivoire and Ghana differ slightly from the ILO framework, most of these children work not only in violation of the ILO standards but in violation of the local legislation as well.

Table 9a. Working hours and minimum age, Côte d'Ivoire (adult reporting)

	Côte d'Ivoire (Last 7 days)		
	All children in agricultural households	Children working in agriculture	Children working in cocoa
# of children, 5-11 years, working 1 hour or more per week (all agricultural work and other economic activity)	857,579 (47.5%)	761,572 (100%)	462,659 (100%)
# of children, 12-14 years, working 14 hours or more per week (all agricultural work and other economic activity)	173,001 (31.8%)	159,356 (49.4%)	99,789 (48.9%)
# of children, 15-17 years, working 43 hours or more per week (all agricultural work and other economic activity)	91,390 (18.5%)	91,390 (23.5%)	75,983 (31.8%)

Source: Tulane household interview, weighted data, all strata.

Table 9b. Working hours and minimum age, Ghana (adult reporting)

	Ghana (Last 7 days)		
	All children in agricultural households	Children working in agriculture	Children working in cocoa
# of children, 5-11 years, working 1 hour or more per week (all agricultural work and other economic activity)	907,657 (56.9%)	890,640 (100%)	483,571 (98.6%)
# of children, 12-14 years, working 14 hours or more per week (all agricultural work and other economic activity)	70,066 (10.3%)	69,015 (13.7%)	38,009 (13.3%)
# of children, 15-17 years, working 43 hours or more per week (all agricultural work and other economic activity)	14,095 (2.5%)	14,095 (3.4%)	9,028 (3.4%)

Source: Tulane household interview, weighted data, all strata.

Approximately 51% of the children between 5 and 11 years in agricultural households in Côte d'Ivoire performed economic activities in the past 7 days prior to reporting, and 64% of the children between 5 and 11 years in Ghana reported involvement in economic activities as well.

In Côte d'Ivoire, 39% of the children in agricultural households between 12 and 14 years worked at least 14 hours in the past week thus exceeding the ILO recommended maximum number of working hours. In Ghana, 14% of the children in this age group exceeded the limit.

In Côte d'Ivoire, among the oldest group of children, 18% of the children in agricultural households between 15 and 17 years reported working 43 hours or more in the past week. In Ghana, 6% of the 15-17 year olds reported working at least 43 hours in this period (see Tables 10a+b).

Comparison of child reporting and caregiver reporting indicates that the population totals and percentages reported by the adults are lower than the results obtained from the interviews with the children (see Tables 9a+b and 10a+b). Percentages and totals do not include household chores, which are carried out in addition to any economic activity performed by the working children.

Table 10a. Working hours and minimum age, Côte d'Ivoire (child reporting)

	Côte d'Ivoire (Last 7 days)		
	All children in agricultural households	Children working in agriculture	Children working in cocoa
# of children, 5-11 years, working 1 hour or more per week (all agricultural work and other economic activity)	873,073 (51%)	774,923 (100%)	544,807 (99.5%)
# of children, 12-14 years, working 14 hours or more per week (all agricultural work and other economic activity)	196,392 (39.0%)	187,101 (53.6%)	132,287 (58.1%)
# of children, 15-17 years, working 43 hours or more per week (all agricultural work and other economic activity)	84,507 (18.1%)	80,705 (20.9%)	71,830 (29.2%)

Source: Tulane child interview, weighted data, all strata.

Table 10b. Working hours and minimum age, Ghana (child reporting)

	Ghana (Last 7 days)		
	All children in agricultural households	Children working in agriculture	Children working in cocoa
# of children, 5-11 years, working 1 hour or more per week (all agricultural work and other economic activity)	812,328 (64.4%)	761,559 (100%)	416,287 (99.1%)
# of children, 12-14 years, working 14 hours or more per week (all agricultural work and other economic activity)	91,929 (14.4%)	77,358 (15.5%)	55,104 (17.8%)
# of children, 15-17 years, working 43 hours or more per week (all agricultural work and other economic activity)	24,195 (5.6%)	23,896 (6.6%)	10,820 (5.0%)

Source: Tulane child interview, weighted data, all strata.

Working Conditions and Hazards

ILO Recommendation 190, which supplements ILO Convention on the Worst Forms of Child Labor, lists activities considered hazardous to children and possible indicators of hazardous work. Recommendation 190 as well as the ILO child labor questionnaires

provided the basis for developing the Tulane child questionnaire and the sections on hazardous child work.

The following tables summarize injuries and exposure to potential hazards reported by the children in agricultural households in the cocoa-growing areas. They cover child reporting on injuries, exposure to heavy loads, exposure to environmental hazards, and the use of machinery, tools and equipment in agriculture.

Table 11a. Injuries in agriculture, Côte d'Ivoire

% of children, 5-17 years, reporting exposure to injury in agriculture:	Côte d'Ivoire (Last 12 months)		
	All children in agricultural households	All children working in agriculture	Children working in cocoa
Wounds or cuts	23.9	34.8	37.5
Broken bones	0.3	0.4	0.5
Snake bites	0.8	1.1	1.2
Insect bites	5.9	8.7	11.5
Back pains	1.2	1.7	2.3
Muscle pains	3.9	5.7	6.3
Other pains	0.1	0.2	0.2
Burns by fire or sun	0.6	0.9	0.6
Skin itchiness or scratches	0.9	1.3	1.7
Other injuries	0.3	0.5	0.5
TOTAL (one or more of the above)	26.9	39.3	43.1

Source: Tulane child interview, weighted data, all strata.

Table 11b. Injuries in agriculture, Ghana

% of children, 5-17 years, reporting exposure to injury in agriculture:	Ghana (Last 12 months)		
	All children in agricultural households	All children working in agriculture	Children working in cocoa
Wounds or cuts	42.6	51.2	55.6
Broken bones	2.1	2.6	3.6
Snake bites	2.0	2.4	3.0
Insect bites	27.1	32.5	35.4
Back pains	20.8	25.1	23.2
Muscle pains	20.0	24.0	21.1
Other pains	2.6	3.1	2.7
Burns by fire or sun	28.5	34.2	33.2
Skin itchiness or scratches	29.7	35.6	35.8
Other injuries	0.8	1.0	1.4
TOTAL (one or more of the above)	62.0	74.3	74.7

Source: Tulane child interview, weighted data, all strata.

Injuries to children in the cocoa-growing areas are common in Côte d'Ivoire and Ghana (see Tables 11a+b). Children working in agriculture report high levels of exposure to

wounds and cuts, insect bites, and muscle pains in both countries. Other injuries such as burns, back pains and scratches are also common.

Table 12a. Heavy loads in agriculture, Côte d'Ivoire

% of children, 5-17 years, reporting exposure to heavy loads in agriculture:	Côte d'Ivoire (Last 12 months)		
	All children in agricultural households	All children working in agriculture	Children working in cocoa
Carrying timber and other loads during land clearing	6.9	10.2	9.6
Carrying water for spraying	5.0	7.1	7.4
Gathering and heaping cocoa pods	4.9	7.2	7.5
Carting fermented cocoa beans	0.5	0.7	0.6
Carting of dry cocoa beans to shed	0.1	0.1	0.1
Other heavy loads	1.1	1.5	1.2
TOTAL (one or more of the above)	12.8	18.7	19.3

Source: Tulane child interview, weighted data, all strata.

Table 12b. Heavy loads in agriculture, Ghana

% of children, 5-17 years, reporting exposure to heavy loads in agriculture:	Ghana (Last 12 months)		
	All children in agricultural households	All children working in agriculture	Children working in cocoa
Carrying timber and other loads during land clearing	12.1	14.7	13.9
Carrying water for spraying	10.0	12.0	16.2
Gathering and heaping cocoa pods	17.5	21.0	30.4
Carting fermented cocoa beans	19.9	24.0	34.8
Carting of dry cocoa beans to shed	15.0	18.0	26.7
Other heavy loads	26.4	31.7	30.3
TOTAL (one or more of the above)	51.9	62.3	69.2

Source: Tulane child interview, weighted data, all strata.

Many of the children in the cocoa-growing areas reported exposure to heavy loads while performing work in agriculture in the past 12 months (see Tables 12a+b). This involved activities such as carrying timber and other loads during land clearing, carrying water for spraying, gathering and heaping cocoa pods, carting fermented cocoa beans, and carting dry cocoa beans to the storage shed.

Table 13a. Environmental hazards in agriculture, Côte d'Ivoire

%of children, 5-17 years, reporting exposure to the following hazards in agriculture:	Côte d'Ivoire (Last 12 months)		
	All children in agricultural households	All children working in agriculture	Children working in cocoa
Dust or dangerous fumes	11.9	17.1	17.8
Fire, gas or flames	1.7	2.4	2.2
Extreme heat	12.8	18.7	21.8
Long hours in the direct sun	20.1	28.9	27.3
Work at dangerous heights (e.g. climbing trees, etc.)	0.4	0.6	0.5
Work in water, like, pond or river	2.0	2.9	2.9
Spraying of pesticides, insecticides	0.3	0.5	0.6
Other hazards	0.7	1.1	1.0
TOTAL (one or more of the above)	29.0	42.0	42.2

Source: Tulane child interview, weighted data, all strata.

Table 13b. Environmental hazards in agriculture, Ghana

% of children, 5-17 years, reporting exposure to the following hazards in agriculture:	Ghana (Last 12 months)		
	All children in agricultural households	All children working in agriculture	Children working in cocoa
Dust or dangerous fumes	16.8	20.0	18.5
Fire, gas or flames	6.8	8.0	9.4
Extreme heat	37.0	44.4	46.8
Long hours in the direct sun	35.0	41.9	41.2
Work at dangerous heights (e.g. climbing trees, etc.)	2.7	3.2	3.6
Work in water, like, pond or river	2.4	2.7	3.0
Spraying of pesticides, insecticides	4.1	4.8	4.7
Other hazards	0.3	0.4	0.2
TOTAL (one or more of the above)	58.1	69.4	68.5

Source: Tulane child interview, weighted data, all strata.

The child interview also assessed exposure to a list of environmental hazards (see Tables 13a+b). Exposure to some of these hazards is reported frequently by the children working in agriculture in the cocoa-growing areas. These include exposure to heat, long hours in the direct sun, and exposure to dust and dangerous fumes. Between 4% and 5% of the children reported involvement in the spraying of pesticides or insecticides in Ghana in the past 12 months. In Côte d'Ivoire, less than 1% of the children reported involvement in spraying.

Table 14a. Use of machinery, tools and equipment in agriculture, Côte d'Ivoire

	Côte d'Ivoire (Last 12 months)		
	All children in agricultural households	All children working in agriculture	Children working in cocoa
% of children, 5-17 years, operating tools, equipment or Machinery:			
Machete	49.8	73.2	73.1
Tractor	0.0	0.0	0.0
Bullock	0.9	1.4	1.9
Hoe	48.4	71.0	67.1
Sprayer	1.0	1.5	1.8
Other tools, equipment or Machinery	2.7	4.0	1.8
TOTAL (one or more of the above)	60.7	88.9	87.5

Source: Tulane child interview, weighted data, all strata.

Table 14b. Use of machinery, tools and equipment in agriculture, Ghana

	Ghana (Last 12 months)		
	All children in agricultural households	All children working in agriculture	Children working in cocoa
% of children, 5-17 years, operating tools, equipment or machinery:			
Machete	72.5	86.6	85.9
Tractor	0.5	0.6	0.7
Bullock	0.3	0.4	0.2
Hoe	23.4	28.0	29.1
Sprayer	3.5	4.1	4.9
Other tools, equipment or Machinery	2.5	3.0	3.7
TOTAL (one or more of the above)	75.4	90.1	89.2

Source: Tulane child interview, weighted data, all strata.

The tools used most frequently by children in the cocoa-growing areas are machetes and hoes. More than 70% of the children working in agriculture in Côte d'Ivoire and more than 80% of the children working in agriculture in Ghana reported having used a machete in the past 12 months. A hoe was used by approximately 70% of the children working in agriculture in Côte d'Ivoire and by approximately 30% of the children working in agriculture in Ghana. Sprayers are used by less than 5% of the children in Ghana and less than 2% of the children in Côte d'Ivoire (see Tables 14a+b).

Hazardous Child Labor Based on National Frameworks of Hazardous Activities

In June 2008, Ghana's Ministry of Manpower, Youth and Employment released a Hazardous Child Labor Activity Framework. The listing specifies activities considered hazardous for children working in cocoa in Ghana. Development of this list is obligatory

under ILO Convention on the Worst Forms of Child Labor (C182). The Ministry of Civil Service and Labor in Côte d'Ivoire had released a list of dangerous child work earlier in March 2005.

Since the Ghana listing only became available in June 2008, the Tulane questionnaires were not specifically designed to measure Ghana's indicators of hazardous work. In this report, we report findings that can be derived from the data collected by Tulane with regard to the Government-proposed indicators. Tulane's survey questionnaires are currently being revised to more completely capture the indicators specified as hazardous by the Governments of Côte d'Ivoire and Ghana. The revised questionnaires will be applied as part of Tulane's next survey of child labor in the cocoa-growing areas that will be carried out during the 2008 cocoa harvest season.

Côte d'Ivoire

According to Côte d'Ivoire's list of hazardous child work, children under 18 years who are working in agriculture should not participate in: cutting of trees, burning of fields; application of chemicals; application of chemical fertilizer; chemical treatment of fields/plants, and carrying of heavy loads.

1. Cutting of trees

In Côte d'Ivoire, 51.2% of the children working in cocoa and 34.8% of all children in agricultural households report involvement in land clearing in the past 12 months.

2. Burning of fields

3.0% of the children working in cocoa and 2% of all children in agricultural households in Côte d'Ivoire indicate involvement in burning of fields.

3. Application of chemicals (insecticides, herbicides, fungicides, etc.)

6.5% of the children working in cocoa in Côte d'Ivoire and 5.1% of all children in agricultural households report carrying water for spraying. A much smaller percentage indicates involvement in the direct application of insecticides, herbicides, fungicides, etc. 2.3% of the children working in cocoa and 1.0% of all children in agricultural households spray insecticides. 0.8% of the children working in cocoa and 0.4% of all children in agricultural households apply fungicide/herbicides/other chemicals.

4. Application of chemical fertilizer

0.9% of the children working in cocoa and 0.4% of all children in agricultural households in Côte d'Ivoire apply fertilizer.

5. Chemical treatment of fields/plants

See answer above: "Application of chemicals (insecticides, herbicides, fungicides, etc.)"

6. Carrying of heavy loads

19.3% of the children working in cocoa and 12.8% of all children in agricultural households report carrying heavy loads as part of work in agriculture in Côte d'Ivoire.

Ghana

Ghana's new and detailed list of work activities hazardous for children under 18 years in cocoa agriculture covers: clearing of forest and/or felling of trees; bush burning; working with agrochemicals; and/or being present or working in the vicinity of farm during pesticide spraying, or reentering a sprayed farm within less than 12 hours of spraying. In addition, children should not be using machetes/long cutlasses for weeding; climbing trees higher than 3 meters (9 feet) to cut mistletoe with cutlass; working with motorized mist blower, knapsack sprayer and/or chainsaw; harvesting overhead cocoa pods with harvesting hook; breaking cocoa pods with breaking knife; and/or carrying heavy load beyond permissible carrying weight. Finally, hazardous child labor activities include working on the farm for more than 3 hours per day or more than 18 hours per week; for children in school, working more than 2 hours/day on a school day; working without adequate basic foot and body protective clothing; a child working alone on the farm in isolation; going to or returning from the farm alone or working on farm between 6.00 p.m. and 6.00 a.m.; a child withdrawn from school during cocoa season to do farm work; and/or working full time on farm and not attending formal/non-formal school.

1. Clearing of forest and/or felling of trees

In Ghana, 16.5% of the children working in cocoa and 13.7% of all children in agricultural households report involvement in land clearing in the past 12 months.

2. Bush burning

13.7% of the children working in cocoa and 13.1% of all children in agricultural households in Ghana indicate involvement in burning.

3. Working with agrochemicals, i.e. purchasing, transport, storage, use (mixing, loading and spraying/applying), washing of containers and spraying machine, and disposal

3.0% of children working in cocoa in Ghana and 2.3% of all children in agricultural households report involvement in spraying in the past year. 4.3% of children working in cocoa and 3.3% of all children in agricultural households report involvement in applying fertilizer. 3.3% of the children working in cocoa and 2.2% of all children in agricultural households report application of fungicide/herbicides/other chemicals.

4. Being present or working in the vicinity of farm during pesticide spraying, or reentering a sprayed farm within less than 12 hours of spraying

24.7% of the children working in cocoa and 17.1% of all children in agricultural households report carrying water for spraying.

5. Using machetes/long cutlasses for weeding

69.4% of children working in cocoa and 60.8% of all children in agricultural households report involvement in weeding in the past 12 months. 85.9% of children working in cocoa and 72.5% of all children in agricultural households indicate use of a machete as part of work in agriculture in the same period.

6. Climbing trees higher than 3 meters (9 feet) to cut mistletoe with cutlass

3.6% of children working in cocoa and 2.7% of all children in agricultural households report work at dangerous heights (climbing of trees, etc.) as part of their work in agriculture.

7. Working with motorized mist blower, knapsack sprayer and/or chainsaw

4.9% of children working in cocoa and 3.5% of all children in agricultural households report operating a sprayer in the past 12 months.

8. Harvesting overhead cocoa pods with harvesting hook

29.9% of children working in cocoa and 16.9% of all children in agricultural households indicate involvement in plucking of cocoa pods in Ghana.

9. Breaking cocoa pods with breaking knife

50.9% of children working in cocoa and 28.6% of all children in agricultural households report involvement in cocoa pod breaking and fermentation in the past 12 months.

10. Carrying heavy load beyond permissible carrying weight, i.e. above 30% of body weight for more than 2 miles (3 km)

The carrying of heavy loads as part of work in agriculture is reported by 69.2% of children working in cocoa and 51.9% of all children in agricultural households.

11. Working on the farm for more than 3 hours per day or more than 18 hours per week (for children on weekends, holidays and/or children who have completed school)

The total number of working hours performed by children, 5-17 years, in economic activities in the last 7 days prior to reporting was 7.6 hours for children performing work in agriculture and 8.0 hours for children working in cocoa according to the reporting by caregivers. The children themselves report a total number of working hours of 8.9 hours among children working in agriculture and 9.0 hours among children working in cocoa. Overall, 6.4% of the children working in agriculture report working more than 18 hours in the past week.

12. For children in school, working more than 2 hours/day on a school day

While school attendance is nearly universal, a percentage of children on any given day reports working hours that exceed the limit of 2 hours per day on a school day (or 3 hours per day for children on weekends, holidays and/or children who have completed school). On the Monday prior to reporting, for example, about 9% of the children working

in agriculture indicate involvement in economic activities for 3 or more hours (and about 7% indicated economic activities for 4 hours or more).

13. Working without adequate basic foot and body protective clothing

The interviewed children were asked whether or not they had used any protective clothing or equipment while performing work in agriculture in the past year. 20.7% of the children working in agriculture in the cocoa-growing areas indicated wearing protective boots, 1.9% reported wearing gloves, 22.0% said that they wore protective clothing, and 1.1% reported wearing a nose/gas mask.

14. A child working alone on the farm in isolation (i.e. beyond visible or audible range of nearest adult)

This indicator has not been covered and will be included in the next survey.

15. Going to or returning from the farm alone or working on farm between 6.00 p.m. and 6.00 a.m.

While the children were not asked to specify exact time periods, 21.5% of the children working in agriculture indicated that they usually work on the farm “in the mornings” and 0.7% reported working “all day from when I wake till when I go to sleep”.

16. A child withdrawn from school during cocoa season to do farm work

1% of the children working in agriculture in the previous 12 months indicated having been unable to attend school or having dropped out of school due to having “to do farm work.”

17. Working full time on farm and not attending formal/non-formal school (applicable to children under 15 years)

The ILO’s definition of working “full time” is 43 hours or more in economic activities per week. However, according to ILO standards, children under 15 years are not allowed to work full time regardless of whether or not they are in school. In Ghana, about 0.5% of the children under 15 years indicated having worked full time in the past week. Most of these children also reported that they attended school in the previous 12 months while a minority reported not having been in school.

School Attendance and Vocational Training

In Ghana, more than 90% of the children in agricultural households in the cocoa-growing areas were enrolled in school in the past 12 months prior to data collection. In Côte d’Ivoire, fewer than 60% of the children were in school in the same period. There are few differences in school enrollment rates between the sexes, however, older children (15-17 years) are less likely to attend school than younger children in Côte d’Ivoire possibly due to the scarcity of secondary schools in the rural areas (see Tables 15a+b).

Table 15a. School attendance and vocational training, Côte d'Ivoire

	Côte d'Ivoire	
	All children in agricultural households	Children working in cocoa
% of children, 5-17 years, attending school (last 12 months)	57.9	50.9
Gender of children, 5-17 years, attending school (in %, last 12 months)		
Boys	60.6	54.4
Girls	54.8	45.8
Children, 5-17 years, attending school by age group (in %, last 12 months)		
5-11 years	60.7	56.9
12-14 years	72.5	56.1
15-17 years	31.0	19.4

Source: Tulane child interview, weighted data, all strata.

Table 15b. School attendance and vocational training, Ghana

	Ghana	
	All children in agricultural households	Children working in cocoa
% of children, 5-17 years, attending school (last 12 months)	90.5	90.4
Gender of children, 5-17 years, attending school (in %, last 12 months)		
Boys	90.6	91.4
Girls	90.4	89.2
Children, 5-17 years, attending school by age group (in %, last 12 months)		
5-11 years	90.7	91.3
12-14 years	93.0	93.9
15-17 years	84.6	82.6

Source: Tulane child interview, weighted data, all strata.

Even though school enrollment rates in Ghana are high, in both countries many children report that they are not able to read and write. In Ghana, more than 50% of the children between 5 and 17 years cannot read or write a short simple statement. In Côte d'Ivoire, almost 60% of the children cannot read or write a simple statement. In both countries, less than 5% of the children report having attended a skills training at any point in their lives (see Table 15a+b).

Conclusions

The survey results indicate that in both Côte d'Ivoire and Ghana, most children in agricultural households in the cocoa-growing areas perform work in agriculture (Côte d'Ivoire: >50%, Ghana: >60%) and a majority of these children work in cocoa. Almost all of the children perform household work in addition to work in agriculture (Côte d'Ivoire: >70%, Ghana: >80%).

The data also indicate that children often start working before they reach minimum working age and older children sometimes exceed maximum number of working hours recommended or allowable for their age group. Overall, similar accounts of working hours are given by the children and by their caregivers.

Children in agricultural households in the cocoa-growing areas report high rates of exposure to some hazards such as heavy loads, exposure to heat, insect bites and other environmental conditions while lacking protective gear and clothing.

School enrollment in the cocoa-growing areas in Ghana is high (approximately 90%). In Côte d'Ivoire, about 50% of the children attend school. Still many children cannot read and write in both countries (approximately 50% in Ghana, 60% in Côte d'Ivoire).

Recommendations

1. Develop a specific action plan to address challenges associated with the WFCL most frequently encountered in the cocoa sector, the exposure to hazardous working conditions.
2. Continue work on hazardous child labor frameworks and operationalized definitions and emphasize intervention activities targeted at reducing exposure to hazardous work.
3. Address and refine measurement issues associated with measuring hazardous work and the unconditional WFCL.
4. Target high-risk groups with remediation efforts: working children below minimum age, children working long hours, children out of school, children separated from family, etc. Set coverage and performance targets once baseline data has been collected.

Exploitive Child Labor in the Supply Chain

The following chapter summarizes Tulane's survey and other research findings relevant to task 5 of the oversight contract, the assessment of exploitive child labor in the cocoa supply chain. Two distinct research activities are carried out under this task: (a) the assessment of child labor in the cocoa supply chain and types of work activities performed by children, and (b) the assessment of labor supply, migration and child trafficking for work on cocoa farms.

Definitions

Migration

- "Migration is a form of geographic or spatial mobility involving a change of usual residence between clearly defined geographic units." "International migration refers to movement across national boundaries" and "internal migration' refers to migration within the boundaries of a given country" (Methods and Materials of Demography, edited by Jacob S. Siegel and David A. Swanson, second edition 2004).

Forced Labor

- "All work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily, and includes indentured labor." In regards to children, the voluntary nature of the work is irrelevant (ILO Convention 29).

Child Trafficking

- "The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation" (UN Protocol to Prevent, Suppress and Punish Trafficking in Persons). The definition used by Tulane does imply that some element of movement of the child is part of prerequisites for identifying the trafficking process.

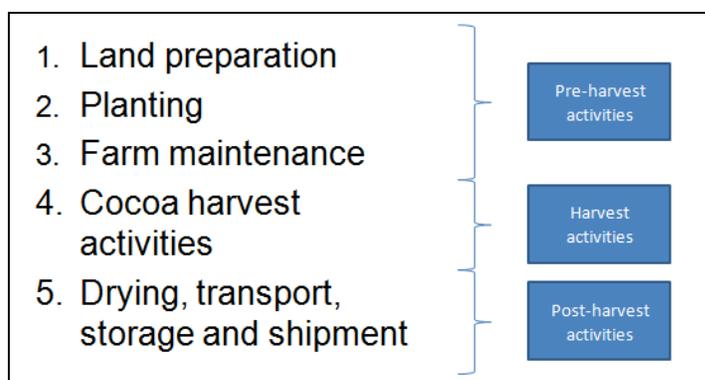
Assessment of Child Labor in the Cocoa Supply Chain and Types of Work Activities Performed by Children

Tulane's first annual surveys of child labor in the cocoa-growing areas examined the different work activities performed by children in cocoa agriculture. Results from the surveys, as relevant to the assessment of child labor in the cocoa supply chain, are presented in the following sections. In addition, in early 2008, Tulane tested a methodology for assessing child labor in the transportation and shipment of cocoa as part of a small exploratory pilot study. Select findings from this pilot study are also presented.

Work Activities Performed by Children

The questionnaire administered to the children examined different types of work activities performed in the West African cocoa sector. The listing of work activities was based on a draft instrument developed by the Government of Ghana and covered pre-harvest, harvest and post-harvest activities such as land preparation, planting, farm maintenance, and cocoa harvest activities, and the drying and transport of cocoa beans. Some of these activities are considered hazardous by the Governments of Côte d'Ivoire and Ghana and have as such been discussed in the previous chapter. The results presented in the following sections are representative of the semi-urban and rural areas in the cocoa-growing regions. They are weighted to account for sampling methodology unless otherwise noted.

Figure 6. Work activities in the cocoa supply chain



Source: Tulane child labor survey.

Pre-Harvest Activities Performed by Children

Land preparation activities in cocoa agriculture in West Africa include land clearing, felling and chopping, burning, stumping, stakes cutting, and lining and pegging. Involvement of children in land clearing was found to be considerable in Côte d'Ivoire. More than 50% of the children in the agricultural households in the cocoa-growing areas reported involvement in land clearing in the last 12 months. In Ghana, approximately 15% of the children reported involvement in land clearing as well as burning in the past 12 months. The other activities related to land preparation covered by the survey were carried out by a much smaller percentage of children (see Tables 16a+b).

Table 16a. Child work involved in land preparation, Côte d'Ivoire

	Côte d'Ivoire (Last 12 months)	
% of children, 5-17 years, involved in:	All children in agricultural households	Children working in cocoa
Land clearing	34.8	51.2
Felling and chopping	2.2	3.3
Burning	2.0	3.0
Stumping	1.6	3.2
Stakes cutting	0.8	1.7
Lining and pegging	0.6	1.2

Source: Tulane child labor survey, weighted data, all strata.

Table 16b. Child work involved in land preparation, Ghana

	Ghana (Last 12 months)	
% of children, 5-17 years, involved in:	All children in agricultural households	Children working in cocoa
Land clearing	13.7	16.5
Felling and chopping	5.3	7.4
Burning	13.1	13.7
Stumping	3.7	4.2
Stakes cutting	1.6	2.2
Lining and pegging	2.3	2.1

Source: Tulane child labor survey, weighted data, all strata.

The interviewed children were also asked about involvement in planting activities such as the planting of suckers, preparation of seedlings, planting of seedlings, and sowing at stake. The children working in cocoa agriculture in Côte d'Ivoire were most likely to be involved in sowing at stake (20%). The children working in cocoa in Ghana were most frequently engaged in planting of suckers (23%), sowing at stake (19%), and planting of seedlings (18%). Few of the children were involved in any of the other planting activities covered by the survey (see Tables 17a+b).

Table 17a. Child work involved in planting, Côte d'Ivoire

	Côte d'Ivoire (Last 12 months)	
% of children, 5-17 years, involved in:	All children in agricultural households	Children working in cocoa
Planting of suckers	2.1	3.5
Preparation of seedlings	2.7	4.3
Planting of seedlings	2.2	3.8
Sowing at stake	15.9	19.6

Source: Tulane child labor survey, weighted data, all strata.

Table 17b. Child work involved in planting, Ghana

	Ghana (Last 12 months)	
% of children, 5-17 years, involved in:	All children in agricultural households	Children working in cocoa
Planting of suckers	21.5	23.4
Preparation of seedlings	6.0	8.4
Planting of seedlings	15.0	17.8
Sowing at stake	19.7	18.7

Source: Tulane child labor survey, weighted data, all strata.

With regard to farm maintenance activities, the child questionnaire covered involvement in weeding, spraying insecticides, applying fertilizer, applying fungicide/herbicides/other chemicals, carrying water for spraying, sanitation and pruning, and mistletoe control. Weeding, a very labor-intensive activity in West African cocoa agriculture, was reported by the largest percentage of children. In Côte d'Ivoire, 56% of the children working in cocoa were involved in weeding. In Ghana, 69% of the children working in cocoa indicated involvement in weeding as well. Seven percent of the children working in cocoa in Côte d'Ivoire were participating in carrying water for spraying. In Ghana, 25% of the children working in cocoa were involved in the same activity. The children in the cocoa-growing areas were rarely involved in the application of chemicals other than carrying water for spraying, however, a few children report involvement (see Tables 18a+b).

Table 18a. Child work involved in farm maintenance, Côte d'Ivoire

	Côte d'Ivoire (Last 12 months)	
	All children in agricultural households	Children working in cocoa
% of children, 5-17 years, involved in:		
Weeding	41.1	56.2
Spraying insecticides	1.0	2.3
Applying fertilizer	0.4	0.9
Applying fungicide/ herbicides/other chemicals	0.4	0.8
Carrying water for spraying	5.1	6.5
Sanitation and pruning	2.3	5.2
Mistletoe control	1.7	3.7

Source: Tulane child labor survey, weighted data, all strata.

Table 18b. Child work involved in farm maintenance, Ghana

	Ghana (Last 12 months)	
	All children in agricultural households	Children working in cocoa
% of children, 5-17 years, involved in:		
Weeding	60.8	69.4
Spraying insecticides	2.3	3.0
Applying fertilizer	3.3	4.3
Applying fungicide/ herbicides/other chemicals	2.2	3.3
Carrying water for spraying	17.1	24.7
Sanitation and pruning	2.6	4.1
Mistletoe control	1.9	3.3

Source: Tulane child labor survey, weighted data, all strata.

Harvest Activities Performed by Children

Children working in cocoa agriculture in Côte d'Ivoire and Ghana are frequently involved in harvest activities such as the plucking of cocoa pods, gathering and heaping cocoa pods, and cocoa pod breaking and fermentation. About 30% of the children in both countries are involved in plucking of cocoa pods, between 70% and 75% are involved in gathering and heaping cocoa pods, and 44% of the children working in cocoa in Côte d'Ivoire and 51% of the children working in cocoa in Ghana are participating in cocoa pod breaking and fermentation (see Tables 19a+b).

Table 19a. Child work involved in cocoa harvest activities, Côte d'Ivoire

% of children, 5-17 years, involved in:	Côte d'Ivoire (Last 12 months)	
	All children in agricultural households	Children working in cocoa
Plucking of cocoa pods	15.2	33.2
Gathering and heaping cocoa pods	33.0	72.3
Cocoa pod breaking and fermentation	20.0	44.0

Source: Tulane child labor survey, weighted data, all strata.

Table 19b. Child work involved in cocoa harvest activities, Ghana

% of children, 5-17 years, involved in:	Ghana (Last 12 months)	
	All children in agricultural households	Children working in cocoa
Plucking of cocoa pods	16.9	29.9
Gathering and heaping cocoa pods	41.3	73.3
Cocoa pod breaking and fermentation	28.6	50.9

Source: Tulane child labor survey, weighted data, all strata.

Post-Harvest Activities Performed by Children

Similar to the cocoa harvest activities, a relatively large percentage of children in both countries report involvement in post-harvest activities such as carting fermented cocoa beans, drying cocoa beans, and carting of dry cocoa beans to the storage area. Between 30% and 51% of the children working in cocoa were involved in carting fermented cocoa beans, between 23% and 34% were involved in drying cocoa beans, and between 15% and 25% were involved in the carting of dry cocoa beans to the storage area (see Tables 20a+b).

Table 20a. Child work involved in drying and transport, Côte d'Ivoire

	Côte d'Ivoire (Last 12 months)	
% of children, 5-17 years, involved in:	All children in agricultural households	Children working in cocoa
Carting fermented cocoa beans	13.8	30.1
Drying cocoa beans	10.6	23.2
Carting of dry cocoa beans to shed	6.8	15.0

Source: Tulane child labor survey, weighted data, all strata.

Table 20b. Child work involved in drying and transport, Ghana

	Ghana (Last 12 months)	
% of children, 5-17 years, involved in:	All children in agricultural households	Children working in cocoa
Carting fermented cocoa beans	28.9	51.4
Drying cocoa beans	19.1	34.2
Carting of dry cocoa beans to shed	13.9	25.0

Source: Tulane child labor survey, weighted data, all strata.

Transport, Storage and Shipment

The first annual harvest surveys examined child labor on the cocoa farms but they did not cover child labor involvement in transport, storage and shipment activities once the cocoa beans are sold by the farmer. As part of a separate small pilot study, Tulane visited the port of Tema in Ghana in March 2008. In Tema, we interviewed 14 cocoa truck drivers and 10 children selling water and other items to the drivers. The interviews were carried out at four different parking areas where the drivers wait for their next assignment. The Tulane researchers also visited a cocoa storage facility and shipment area. At the visited center and similar centers, the cocoa beans are stored and sprayed, quality checks are performed, and the cocoa is loaded onto containers. Due to the small sample size, the results from this study are not representative of the population.

At the storage facility in Tema and from the interviews with truck drivers, Tulane did not find evidence of children being involved in the transport, storage and shipment of cocoa beans after the beans left the village. Four cocoa truck drivers reported some involvement of children in loading the trucks in the villages. However, these drivers also indicated that since the bags with cocoa beans are very heavy, young children would not participate in this activity and only older children were involved. Overall, no child labor involvement was reported and/or observed as part of the transportation of the cocoa to

the ports in Ghana, and no child labor was reported and/or observed as part of the storage and shipment activities at the visited storage facility in the port of Tema. Tulane plans to expand this study and cover the port of Takoradi, Ghana, and the main ports in Côte d'Ivoire – Abidjan and San Pedro – in the second half of this year.

Assessment of Labor Supply, Migration and Child Trafficking for Work on Cocoa Farms

The first annual harvest season surveys carried out in Côte d'Ivoire and Ghana in November/December 2007 covered indicators critical to the assessment of child labor supply, migration and child trafficking. Results from the first annual harvest surveys relevant to questions of migration and trafficking include the place of birth and nationality of adults and children in the cocoa-growing areas, the migration history of children and parents, work for pay and payments made to children, debt payments, and forced or involuntary work reported by children. In addition to the survey research, Tulane identified and carried out interviews with 10 children that had been trafficked to work on cocoa farms in Côte d'Ivoire as well as interviews with police and border guards, transporter union officials, bus drivers, and other individuals in the communities of origin of these children. These interviews were carried out in Burkina Faso and Mali in proximity of the border with Côte d'Ivoire in February 2008.

Place of Birth and Nationality of Respondents

Tulane's first annual harvest surveys of child labor in the cocoa sector show that the immigrant population in the cocoa-growing areas of Côte d'Ivoire is substantial while the number of immigrants from neighboring countries in Ghana's cocoa sector is much smaller. The high number of immigrant farmers in Côte d'Ivoire can be explained in part by a previous Côte d'Ivoire government policy that encouraged migration from other countries to Côte d'Ivoire, to develop its agricultural sector, including cocoa.

Table 21a. Place of birth and nationality of heads of household/caregivers, Côte d'Ivoire

	Côte d'Ivoire
# of heads of households/ caregivers interviewed	839
# of heads of households/ caregivers born in	
Côte d'Ivoire	636 (75.8%)
Ghana	9 (1.1%)
Burkina Faso	166 (19.8%)
Mali	6 (0.7%)
Other	22 (2.6%)
# of heads of households/ caregivers with	
Ivorian nationality	601 (71.6%)
Ghanaian nationality	6 (0.7%)
Burkinabe nationality	197 (23.5%)
Malian nationality	11 (1.3%)
Other	24 (2.9%)

Source: Tulane household survey, data count, all strata.

Table 21b. Place of birth and nationality of heads of household/caregivers, Ghana

	Ghana
# of heads of households/ caregivers interviewed	863
# of heads of households/ caregivers born in	
Côte d'Ivoire	0 (0%)
Ghana	847 (98.2%)
Burkina Faso	1 (0.1%)
Mali	1 (0.1%)
Other	14 (1.6%)
# of heads of households/ caregivers with	
Ivorian nationality	0 (0.0%)
Ghanaian nationality	832 (96.4%)
Burkinabe nationality	1 (0.1%)
Malian nationality	1 (0.1%)
Other	29 (3.4%)

Source: Tulane household survey, data count, all strata.

Approximately 24% of the heads of household in the Côte d'Ivoire sample were born outside of the country. In Ghana, fewer than 2% of the heads of households in the sample were born abroad. The vast majority of the heads of households in Côte d'Ivoire that were born outside of the country originated from Burkina Faso (see Tables 21a+b). Most of the children between 5-17 years in the sampled households in both countries were born in the country in which they were interviewed. Fewer than 4% of the children

in the Côte d'Ivoire sample were born outside of Côte d'Ivoire and fewer than 2% of the children in the Ghana sample were born outside of Ghana (see Table 22a+b).

Table 22a. Place of birth and nationality of children, Côte d'Ivoire

	Côte d'Ivoire
# of children, 5-17 years, in selected agricultural households	2377
# of children, 5-17 years, born in	
Côte d'Ivoire	2295 (96.6%)
Ghana	3 (0.1%)
Burkina Faso	61 (2.6%)
Mali	2 (0.1%)
Other	16 (0.7%)
# of children, 5-17 years, with	
Ivorian nationality	1740 (73.2%)
Ghanaian nationality	7 (0.3%)
Burkinabe nationality	535 (22.5%)
Malian nationality	33 (1.4%)
Other	62 (2.6%)

Source: Tulane household survey, data count, all strata.

Table 22b. Place of birth and nationality of children, Ghana

	Ghana
# of children, 5-17 years, in selected agricultural households	2445
# of children, 5-17 years, born in	
Côte d'Ivoire	9 (0.4%)
Ghana	2410 (98.6%)
Burkina Faso	0 (0.0%)
Mali	0 (0.0%)
Other	26 (1.1%)
# of children, 5-17 years, with	
Ivorian nationality	5 (0.2%)
Ghanaian nationality	2354 (96.3%)
Burkinabe nationality	1 (0.0%)
Malian nationality	5 (0.2%)
Other	80 (3.3%)

Source: Tulane household survey, data count, all strata.

In Côte d'Ivoire and Ghana, place of birth does not determine citizenship, and individuals born in the two countries do not always have Ivorian or Ghanaian nationality. This is most evident with regard to children born to Burkinabe parents in Côte d'Ivoire. While only 61 of the children between 5 and 17 years in the sampled households were born in Burkina Faso, 535 of the children in the sample have Burkinabe citizenship. These children are not considered citizens by the Government of Côte d'Ivoire (see Table 22a).

Overall, more than 25% of both heads of households and children between 5-17 years in the Côte d'Ivoire sample do not have the nationality of the country in which they live and work. In the Ghana sample, fewer than 5% of heads of households and children do not have Ghanaian citizenship (see Tables 21a+b and 22a+b).

Migration History of Children and Parents

While most of the children report living with their biological parents, a substantial percentage has been separated from father and/or mother. Thirty percent of the children working in cocoa in Côte d'Ivoire and 35% of the children working in cocoa in Ghana are not living with their biological father. The percentage of children working in cocoa who are not living with their biological mother is smaller: 27% in Côte d'Ivoire and 20% in Ghana (see Tables 23a+b).

If a child was found not living with their biological parents, we asked the child to specify the reason for the separation. Among the sample of children interviewed in Côte d'Ivoire, the most important reasons identified by the children for not living with the biological father are:

- Father died: 177 children (7.9%);
- Father works in different village/town: 157 children (7.0%);
- Child was sent to live with family relatives: 140 children (6.3%);
- Parents divorced/separated: 81 children (3.6%);
- Child attends school in different village/town: 37 children (1.7%);
- Child works in different village/town: 23 children (1.0%); and
- Other/Don't know: 67 children (3.0%).

Among the children interviewed in Ghana, the main reasons given for not living with the biological father are:

- Father works in different village/town: 289 children (13.7%);
- Parents divorced/separated: 183 children (8.8%);
- Father died: 148 children (7.1%);
- Child was sent to live with family relatives: 31 children (1.5%);
- Child works in different village/town: 13 children (0.6%);
- Child attends school in different village/town: 10 children (0.5%); and
- Other/Don't know: 92 children (4.4%).

The reasons identified by the interviewed children for not living with the biological mother differ slightly. In Côte d'Ivoire, the following explanations were given most frequently:

- Parents divorced/separated: 149 children (6.7%);
- Child was sent to live with family relatives: 136 children (6.1%);
- Mother works in different village/town: 94 children (4.2%);
- Mother died: 88 children (3.9%);
- Child attends school in different village/town: 43 children (1.9%);
- Child works in different village/town: 22 children (1.0%); and
- Other/Don't know: 59 children (2.6%).

In Ghana, the children in the sample who were not living with their biological mother most often mentioned:

- Mother works in different village/town: 166 children (8.0%);
- Parents divorced/separated: 88 children (4.2%);
- Child was sent to live with family relatives: 40 children (1.9%);
- Mother died: 35 children (1.7%);
- Child attends school in different village/town: 11 children (0.5%); and
- Other/Don't know: 74 children (3.4%).

Table 23a. Migration history of children and parents, Côte d'Ivoire

	Côte d'Ivoire	
	All children, 5-17 years, in agricultural households	Children, 5-17 years, working in cocoa
% of children not living with biological father	32.3	29.8
% of children not living with biological mother	27.5	26.8
% of children living without either biological father or mother	20.6	19.3
% of children who changed their place of residence at least once in their lives	10.8	11.6
% of children who moved to a different place of residence without a biological parent	4.5	6.0

Source: Tulane child survey, weighted data, all strata.

Table 23b. Migration history of children and parents, Ghana

	Ghana	
	All children, 5-17 years, in agricultural households	Children, 5-17 years, working in cocoa
% of children not living with biological father	37.5	35.3
% of children not living with biological mother	18.1	20.1
% of children living without either biological father or mother	14.5	16.0
% of children who changed their place of residence at least once in their lives	25.9	23.2
% of children who moved to a different place of residence without a biological parent	2.0	1.6

Source: Tulane child survey, weighted data, all strata.

All interviewed children were also asked if they had changed their place of residence at least once in their lives. Among the children working in cocoa in Côte d'Ivoire, 12% report having changed their place of residence at least once, and 6% of these children report they have moved to a different location without either of their biological parents. In Ghana, 23% of the children working in cocoa report having moved to a different place of residence, and 1.6% of the children working in cocoa report that they have ever moved to a new residence without either of their biological parents (see Table 23a+b, weighted estimates).

Children who reported moving to a different place of residence without either of their biological parents were asked for the reasons of this movement. Among the children interviewed in Côte d'Ivoire, the most common responses were:

- Child left to stay with relatives: 47 children (2.1%);
- Because of child's school/training: 14 children (0.6%);
- Child was looking for job: 10 children (0.5%);
- Child found a job: 7 children (0.3%); and
- Other/Don't know: 20 children (0.9%).

In Ghana, the most frequent explanations for moving without a biological parent given by the interviewed children were:

- Child left to stay with relatives: 13 children (0.6%);
- Because of child's school/training: 11 children (0.5%);
- Mother and father could not take care of child: 6 children (0.3%);
- Child was looking for job: 2 children (0.1%); and
- Other reason: 21 children (1.0%).

It should be noted that in West Africa's socio-cultural context, children living with relatives other than the biological parents is considered socially protective and culturally acceptable. In addition, in many rural communities, children have to move temporarily in order to be able to attend secondary school since there are very few secondary schools in the rural areas.

Work Arrangements, Payments Made to Children and Debt Payments

Relatively few of the children working in cocoa are paid for the work they perform. In Côte d'Ivoire, 6% of the children working in cocoa had been paid for work performed in agriculture at any point in the past 12 months and an additional 4% had been paid for economic activities other than agriculture. In Ghana, 13% of the children working in cocoa had been paid for work in agriculture at any point in the same period of time and 10% had been paid for economic activities other than agriculture (see Tables 24a+b).

Table 24a. Work arrangements, payments made to children, and debt payments, Côte d'Ivoire

	Côte d'Ivoire	
	All children, 5-17 years, in agricultural households	Children, 5-17 years, working in cocoa
% of children paid for work in agriculture (past 12 months)	4.0	6.0
% of children paid for economic activity other than agriculture (past 12 months)	2.4	3.9
% of children with parents or third person who received payment on their behalf (past 12 months)	0.7	1.0
% of children with income used for payment of debts (past 12 months)		
Child's debt	0.0	0.0
Family's debt	0.1	0.3

Source: Tulane child survey, weighted data, all strata.

Table 24b. Work arrangements, payments made to children, and debt payments, Ghana

	Ghana	
	All children, 5-17 years, in agricultural households	Children, 5-17 years, working in cocoa
% of children paid for work in agriculture (past 12 months)	8.6	13.1
% of children paid for economic activity other than agriculture (past 12 months)	7.8	9.7
% of children with parents or third person who received payment on their behalf (past 12 months)	1.4	2.0
% of children with income used for payment of debts (past 12 months)		
Child's debt	0.8	0.9
Family's debt	0.4	0.6

Source: Tulane child survey, weighted data, all strata.

It was very rare in both countries that a parent or another person had received payment on the child's behalf in the past 12 months ($\leq 2\%$ of the cases). Similarly, very few of the children reported having worked to pay off debts that the child or the family had ($< 1\%$ for both child's debt and family's debt).

Forced/Involuntary Work Reported by Children

A few items on the child questionnaire were designed to explore forced or involuntary work performed by children. This included questions examining whether the child, in his or her view, was forced to perform work against his/her will in the past 12 months, and, if so, what type of work did the child do, who forced the child to work, and why did the child not want to do the work he/she was asked to perform. The consequences for refusing to work were also examined.

Table 25a. Forced/involuntary work reported by children, Côte d'Ivoire

	Côte d'Ivoire	
	All children, 5-17 years, in agricultural households	Children, 5-17 years, working in cocoa
% of children reporting that they have been forced to do work against their will (past 12 months)	7.9	9.5
% of children reporting that they had to work against their will in agriculture (past 12 months)	5.3	7.4
% of children reporting having been forced to do work against their will by someone who is not a family member (past 12 months)	0.2	0.4

Source: Tulane child survey, weighted data, all strata.

Table 25b. Forced/involuntary work reported by children, Ghana

	Ghana	
	All children, 5-17 years, in agricultural households	Children, 5-17 years, working in cocoa
% of children reporting that they have been forced to do work against their will (past 12 months)	12.5	15.3
% of children reporting that they had to work against their will in agriculture (past 12 months)	7.2	10.1
% of children reporting having been forced to do work against their will by someone who is not a family member (past 12 months)	0.8	1.4

Source: Tulane child survey, weighted data, all strata.

Around 10% of the children working in cocoa in Côte d'Ivoire and around 15% of the children working in cocoa in Ghana report that they have been forced to work against their will in the previous 12 months. Among these children, 7% of the children in Côte d'Ivoire and 10% of the children in Ghana report that they were forced to perform work in

agriculture. Almost all of the children indicate that a parent or other family member had given them the orders, and only approximately 1% of the children in both countries working in cocoa report that they have been forced to perform work against their will by a non-relative (see Tables 25a+b).

Children who report forced or involuntary work were asked why they did not want to work in that particular situation. The explanations most often given by the children interviewed in Côte d'Ivoire are:

- Work was hard/difficult: 120 children (5.4%);
- Long working hours: 51 children (2.3%);
- Boring work: 49 children (2.2%);
- Felt too weak or sick for the work: 21 children (0.9%);
- Dangerous work: 7 children (0.3%);
- Unfair that I was asked to do the work: 7 children (0.3%); and
- Other: 38 children (1.7%).

The responses given by the children interviewed in Ghana are:

- Work was hard/difficult: 120 children (5.8%);
- Felt too weak or sick for the work: 66 children (3.2%);
- Long working hours: 60 children (2.9%);
- Boring work: 28 children (1.3%);
- Unfair that I was asked to do the work: 17 children (0.8%);
- Had to skip/drop out of school: 10 children (0.5%); and
- Other: 104 children (5.0%).

When asked about the consequences for refusing to work, the children report different types of punishments and threats and other sanctions. The consequences most often mentioned by the children interviewed in Côte d'Ivoire are:

- Insults: 145 children (6.5%)
- Being beaten: 81 children (3.6%)
- Being punished: 36 children (1.6%)
- Refused food: 29 children (1.3%)
- Refused money for going to school: 6 children (0.3%)
- Other: 18 children (0.8%)

The children interviewed in Ghana experience similar consequences for refusing to work. Punishments, threats and sanctions include:

- Insults: 157 children (7.5%)
- Being beaten: 149 children (7.2%)
- Refused food: 30 children (1.4%)
- Refused money for going to school: 7 children (0.3%)
- Not getting paid: 5 children (0.2%)
- Other: 29 children (1.4%)

Children Trafficked to Work on Cocoa Farms

In February 2008, Tulane carried out exploratory research in Burkina Faso and Mali on the trafficking of children to work on cocoa farms. Both countries are the origin of substantial migrant populations in the cocoa-growing areas as well as cases of trafficked children.

Tulane completed open-ended interviews with five children in Burkina Faso and five children in Mali that had been trafficked to work on cocoa farms in Côte d'Ivoire and since then returned to their countries of origin. The structured interviews covered child and family characteristics, the details of the trafficking process, the experiences of the children on the cocoa farms, and the return of the children to their parents/caregivers, among others. The interviews with the children were carried out in Banfora, Burkina Faso, and Sikasso, Mali, in February/March 2008 in collaboration with Save the Children Canada. The interviewed children were identified by local partners of Save the Children. As part of this process, the local groups approached the community asking for children who had worked in cocoa. None of the identified children had any previous contact with Save the Children or with Save the Children's local partners and they had not been previously interviewed.

In addition to the 10 children, Tulane interviewed border guards, police, bus drivers and transport union officials, local NGOs, and other community members in both Mali and Burkina Faso. In total, the following interviews were completed:

- 10 exploratory case studies of children who have been trafficked from Burkina Faso and Mali to work on cocoa farms in Côte d'Ivoire (8 boys, 2 girls);
- 4 interviews with police and border guards;
- 2 interviews with bus drivers and transporter union officials;
- 8 interviews with the staff of intervention projects; and
- Informal interviews with other community members.

The findings from the 10 case studies of children with trafficking experience and the additional interviews with law enforcement and transporter union/bus drivers provide evidence of an existing problem of child trafficking from Burkina Faso and Mali to the cocoa-growing areas. In addition, the studies also served as a pilot for a larger study of migration and trafficking planned for the second half of 2008 or early 2009. While the 10 pilot case studies provide evidence of child trafficking from neighboring countries to Côte d'Ivoire, due to the small sample size and sampling process, the results of the research are not representative of the population.

Demographic Characteristics

All of the formerly trafficked children interviewed in Burkina Faso and Mali were either 16 or 17 years at the time of the interview, except one 15-year-old from Mali. When beginning to work on the cocoa farm, most children were between the ages of 10 and 12, with one 14-year-old from Mali and a 7-year-old from Burkina Faso. Two of the children interviewed in Burkina Faso were female; all the other children were male.

The children speak a wide variety of languages. Three of the Burkinabe children were born in Burkina Faso, while two were born in Côte d'Ivoire. All of the Malian children interviewed were born in Mali. The children currently live in areas of their respective countries close to the border to Côte d'Ivoire. The Burkinabe children are of Senoufo, Birifore and Lobi ethnicities, while all but one ethnically Samogo child from Mali are of Senoufo ethnicities. All Malian children are Muslim, while the Burkinabe children identified themselves as Muslim, Christian or Catholic. Only one child from Mali had taken an adult literacy course, while all other children from both countries had no formal education. Few of the children lived with their fathers, while all but three lived with their mothers. All children interviewed had several siblings and most lived with them. All children had worked in agriculture in their home countries before being trafficked to Côte d'Ivoire to help their families. All children understood and had heard of the concept of child trafficking. Most of the children thought they had been trafficked.

Recruitment

The interviewed children first heard about working on a cocoa farm from family or others living nearby. Children from both Mali and Burkina Faso said they either did not know or understand what they would be doing on the cocoa farm, or they thought the work would entail familiar farm work, such as "cutting weeds." Only one child from Burkina Faso said he or she was actually looking for work at the time of their recruitment. Three children from Mali, however, were looking for work. All children from Burkina Faso were recruited for the cocoa work from either a family member or a friend, and none directly spoke with a recruiter; family members were also involved in deciding to send the child to work in cocoa. The Malian children, on the other hand, answered that a "trafficker" recruited them for the work, all but one spoke with recruiters personally, and no family members played a role in any of the children's decisions to work in cocoa. All children from both countries were trafficked without other family members, except for one child from Burkina Faso, who left together with several cousins. While some children from Burkina Faso were not promised anything for their work, others were promised various items such as a bike, a radio and/or clothing. Those from Mali were all promised money, some in exact amounts ranging from 75,000 CFA (about \$180 USD) to 125,000 CFA (about \$300 USD). While promises of goods or money were not made to the family members of any children from Mali, some Burkinabe families were promised money and clothes.

Transport and Transfer to Cocoa Farms

All children but one said that the person who arranged his or her travel also traveled with the child. Only one child spoke of having possession of the papers and documentation legally required to cross the border to Côte d'Ivoire. The traffickers either used informal border crossings or when travel documents were asked for, traffickers persuaded or bribed border guards to let the party pass. Most of the children traveled by bus and they generally did not pay for their transportation. However, at least one child was asked at a later stage to work to pay off the cost of transportation.

Working Hours

All children worked long days, with the shortest said to be a nine-hour day. Most said they worked from sun up until sun down, and only one said he was given a free day. A few children had a half hour or hour-long lunch break, but most worked all day without rest. Only two of the ten children said they were allowed to rest if sick. All others reported being forced to work even when sick or exhausted.

Working Conditions

All children denied being able to move about freely once on the cocoa farm. They mentioned constant supervision and threats of beating for taking any breaks or leaving the farm. The cocoa farms were rather small, most were about five to seven hectares and had two to ten other workers. All children had picked and carried cocoa, while most had also worked to break the cocoa pods and other cocoa harvest activities. Some of the children performed other agricultural activities in addition to cocoa farming. Three children also had to fetch firewood or water, and one also had to do household chores. No child attended school at any time during his or her stay on the cocoa farm. Almost all children slept with many occupants in a room in the farmer's house, while one slept with nine others in the farmhouse. Just one child from Mali reported paying for his own housing, while all others said housing was at the farmer's expense. Every single child reported being verbally abused with either insults, threats of physical violence or both. Four of the five Burkinabe children and four of the five Malian children experienced physical violence while at the cocoa farm. Of these, all were beaten repeatedly. Any child that tried to run away was beaten, including one Malian who said he was "beaten on the back until bleeding." All children but one from Burkina Faso saw other children being beaten as well. Psychological abuse was reported by four children, including being called a "parasite" and "cursed children." One Malian child reported being sexually abused by the farmer's wife and another Malian child said that he saw aggressive sexual activity, although he never experienced it himself. All but one child reported being sick while on the cocoa farm, from headaches to contracting malaria, and most were not treated or were given herbal medicine. Only two children from Burkina Faso reported having any contact with their parents, one of which said his or her family members came "often" to tell of village and family news. All children described the work as "too difficult" or "very hard" or "very bad." All listed working with cocoa, especially carrying it, as the most difficult part of the work. Only three of the ten children were given boots or a mask to wear while working.

Payments and Debts

While many children were promised money or material goods for their work, only two received anything. One child from Burkina Faso received 70,000 CFA (or about \$165 USD) for his work, while another from the same country received 60,000 (or about \$140 USD) CFA for two years of work. No other child received any compensation for work. No child noted that any money was borrowed or received ahead of time for future work. Only one child from Mali said that after he had begun working, the cocoa farmer told him he would have to repay the money for his transportation to the farm, and that it took him 3 years to repay the debt. All children said that the agreement about their work changed

after they arrived on the cocoa farm, and every single child also felt deceived about working on the cocoa farm.

Knowledge of Other Trafficked Children

All children interviewed reported working with other trafficked children on the cocoa farms or knowing about other trafficked children on farms nearby. A few said such children remained on the cocoa farms, while others said they had returned to their respective home towns/villages. Some of the children were trafficked together with other children to the cocoa farm, and sometimes the children returned home accompanied by other children.

Return Home

Children from both countries reported leaving the cocoa farms because a family member died, they escaped because of too much work and physical beatings and no or too little pay, and one child from Burkina Faso left because of the crisis in Côte d'Ivoire. The children generally returned by bus and some children paid for their transportation. Neither children nor parents had any contact with the police in either country, and none of the children reported having benefited from any intervention activities that provide support to children with trafficking experience at any time while in Côte d'Ivoire or after having returned to Burkina Faso or Mali.

Interviews with Police/Border Guards, Transporter Union/Bus Drivers and Other Community Members

The interviewed adults – police/border guards, transporter union officials/bus drivers, and other community members – were well aware of the problem of child trafficking. The union of transporters in Banfora, Burkina Faso, showed Tulane a listing of many dozens of “unaccompanied children” that were intercepted by bus drivers and sent back to their villages. Community members described the process of trafficking in great detail along with the challenges and difficulties associated with trafficking a child (such as the need to pay bribes at the border, the dangers associated with crossing rebel territory in the north of Côte d'Ivoire, the need for the children to be of a certain age to be able to get a good price for them, etc.).

At the same time, the intermediaries who traffic children remain elusive. The bus drivers report picking up children but no interaction with the traffickers who are reported to run away before being questioned. The four border police officers interviewed in Mali and Burkina Faso insisted that the children cross the border illegally and that they do not use the official crossings, statements that contradict the accounts of some of the children. All adults interviewed report minimal interaction between the community (children, adults, bus drivers, etc.) and the police. Border police officers indicated that the community avoids interaction and traffickers and trafficking cases are not reported.

Conclusions

In Côte d'Ivoire and Ghana, children in agricultural households in the cocoa-growing areas are often involved in land clearing, sowing, weeding, plucking cocoa pods, gathering and heaping cocoa pods, cocoa pod breaking, fermentation and drying, and the carting of cocoa pods. Children are rarely involved in spraying/application of chemicals (0-5%) but sometimes carry water for spraying (5-25%). We did not find evidence that children are involved in the transport of cocoa after the beans have left the village, or in storage and shipment activities (based on our small pilot study in Tema, Ghana).

The first annual harvest surveys indicate migration to Côte d'Ivoire from neighboring countries (especially Burkina Faso) and across open borders but most of Ghana's migration is internal. A relatively large percentage of children in agricultural households in the cocoa-growing areas are not living with mother and/or father (20-40%) but almost all children are living with relatives. Some of the children have previously changed their place of residence (Cdl: <15%, Ghana: <30%) and a smaller percentage of children have moved without a parent (Cdl: <10%, Ghana: <5%). While some of the children in agricultural households in the cocoa-growing areas work for pay (5-15%), cases of debt and the need to work to pay off debt are very rare. Some children (5-15%) report that they had to work against their will at some point in the past year but orders to work were generally given by a caregiver or relative. However, there is evidence of child trafficking to Côte d'Ivoire from neighboring countries.

Although the information on trafficking from Burkina Faso and Mali was collected as part of a test of methodology, it does provide proof of some forms of exploitation to the children interviewed and evidence that there is some child trafficking. It provides sufficient evidence to warrant a more complete study of the phenomenon.

Recommendations

1. Focus remediation efforts on children exposed to high-risk activities such as the spraying of chemicals.
2. Identify and test strategies to reach vulnerable children and high-risk groups (such as trafficked children).
3. Assess the extent and characteristics of child trafficking to work on cocoa farms from neighboring countries as well as internal trafficking.
4. Emphasize regional and cross-border approaches and interventions to eliminate child trafficking for work on cocoa farms.
5. Continue to refine through assessment and study operational definitions of WFCL for country legal use.

School Enrollment, Retention and Vocational Training Programs

Since the Harkin-Engel Protocol was signed, Industry and the Governments of Ghana and Côte d'Ivoire have funded projects to support children in the cocoa-growing areas; to educate parents on the need for children to continue their schooling; to improve schools and teacher training; and to increase opportunities for vocational education.

The objective of the study of school enrollment, retention, and vocational training programs is to conduct a review of information on the school enrollment and retention of children withdrawn or prevented from exploitative labor in the cocoa sector as a result of efforts undertaken by signatories of the Harkin-Engel Protocol. This includes an assessment of coverage of project activities in support of children in the cocoa-growing regions that are financed by the cocoa/chocolate industry. The research examines the development of activities over time, the number and percentage of children reached and the services provided.

Research activities involve interviews with Industry, government officials and implementing agencies, a review of program documents and other information, and interviews with children who have benefited/are benefiting from the programs. In addition, the annual surveys cover access to schooling and vocational training in the cocoa-growing regions, reasons for not attending school, the impact of economic activity on education, and exposure to projects activities in support of children in the cocoa-growing regions.

Currently, Tulane is in the process of preparing a database with information on project activities financed by Industry in support of children in the cocoa-growing areas including activities targeted at school enrollment, retention and vocational training.

Key Concepts and Definitions

Key indicators are the number of children withdrawn from exploitive work, the number of children prevented from entering exploitative child labor, and the number of direct beneficiaries of project activities.

Children withdrawn from exploitative work are "those children who were found to be working in exploitative child labor and no longer work under such conditions as a result of a direct project intervention. This category includes: a) children who have been completely withdrawn from work, which is required by ILO Convention 182 for unconditional worst forms of child labor, and b) children who were involved in exploitative or hazardous work (Article 3(d) of C.182) or work that impedes their education (ILO Convention 138) but who are no longer working under such conditions due to improved working conditions (i.e. fewer hours or safer workplaces) or because they have moved into another acceptable form of work. To be considered as withdrawn from exploitative child labor, each child must have benefited or be benefiting from services that are provided by projects funded by the international cocoa/chocolate industry, the Governments of Côte d'Ivoire and Ghana, or organizations with whom they may be partnering in this effort" (DOL-Tulane contract).

Children prevented from entering exploitative child labor includes “children not yet working but who are considered to be at high-risk of engaging in exploitative child labor (see definition above), for example, siblings of (ex-) working children. A ‘high-risk’ situation refers to a set of conditions or circumstances (i.e. family environment or situation, vicinity of economic activities prone to employ children, etc.) under which the child lives or to which s/he is exposed. In order to be considered as ‘prevented,’ these children must have benefited or be benefiting from services that are provided by projects funded by the international cocoa industry, the Governments of Côte d’Ivoire and Ghana, or organizations with whom they may be partnering in this effort” (DOL-Tulane contract 2006).

Direct beneficiaries refers to “children who, as a result of a project funded by the international cocoa industry, the Governments of Côte d’Ivoire and Ghana, or organizations with whom they may be partnering in this effort, are withdrawn or prevented from entering exploitative child labor (as defined above)” (DOL-Tulane contract).

Methodology

Our contractual charge is to validate the existence of a certification and verification system in place for the assessment of the WFCL in the cocoa-producing sectors in Côte d’Ivoire and Ghana that is in line with the Harkin-Engel Protocol, and the implementation of remediation efforts. In classical evaluation terms, we will be assessing a process or the existence of a process as opposed to measuring the actual impact of the interventions. Nevertheless, in order to verify the measurement process, we will be assessing the level of WFCL in the entire target region. This assessment, which includes agricultural activities other than cocoa, is necessary in order to comment upon the existence of programs targeted at child labor in the cocoa sector as opposed to other parts of the local agricultural economy.

Classically, we would refer to this type of assessment as a process evaluation that seeks to validate and verify the existence of activities proven or hypothesized to be part of the solution to a problem. The clear distinction between validating a process and measuring the impact of such a process needs to be made. We will be collecting information through the major surveys and additional secondary studies that will clarify and operationalize the existence of the different forms of WFCL and related subjects such as forced migration. This documentation however will further emphasize those areas that need to be addressed in any certification and verification system.

Our assessment of the existence of interventions will not be able to assess the efficacy of those interventions with any metric except that of coverage. Thus, any attempt to evaluate the effectiveness of national and/or industry-sponsored interventions, or certification and verification programs would be inconsistent with the objectives of our research. Only a long-term longitudinal information and evaluation system with known baseline values could effectively evaluate the impact of such interventions.

While we believe that information generated by our efforts will greatly assist in setting that standard, there is no point of reference against which to measure progress at the

current time. These efforts are intended to provide a baseline against which future progress can be measured.

Industry-Supported Public-Private Partnerships

Projects have been initiated in the cocoa-growing regions with financial support by the cocoa/chocolate industry since the Harkin-Engel Protocol was signed. Among the organizations that fund projects are international companies such as Archer Daniels Midland (ADM), Armajaro, Barry Callebaut, Cadbury, Cargill, Hershey, Kraft, Mars, and Nestle. In addition, there are Industry-supported initiatives such as the International Cocoa Initiative (ICI) and the World Cocoa Foundation (WCF). More than 100 projects were carried out with Industry funds since the Harkin-Engel Protocol was signed, and about a third of them appear to have an educational focus. Tulane University identified between 30 and 35 projects that are targeted at education and training, from the information provided by Industry. These include projects for education and vocational training to children in the cocoa-growing regions, projects targeted at training teachers and supporting schools, and educational interventions for adults (i.e. Farmers Field Schools). Some of the projects were carried out in both Ghana and Côte d'Ivoire. Overall, similar activities were carried out in both countries.

Among the projects which focus on education that have been financed in part or entirely by Industry are the International Foundation for Education and Self Help (IFESH) Teacher Training, Winrock International's Child Labor Alternatives through Sustainable Systems in Education (CLASSE) project, the Sustainable Tree Crops Program (STCP), and the ECHOES Alliance.

IFESH provides "teacher training in order to improve education in cocoa-growing regions in both Ghana and the Côte d'Ivoire. It targets the route of education by training teachers of primary and secondary education to better equip them" (WCF website). The IFESH program was initiated in 2005 in Ghana and Côte d'Ivoire supported by Hershey and the WCF. Based on Industry information, IFESH has trained 793 teachers for 72,913 students in Ghana and equipped 2 teacher resource centers. IFESH has also trained 1,603 teachers for 64,120 students in Côte d'Ivoire, equipped 2 teacher resource centers, and provided 1,080 residents with literacy training (Industry Report, September 2007).

The CLASSE Project started in 2003 and was originally funded by the USDOL. When this funding ended, Industry began to support the project. According to the WCF, the CLASSE project "works to develop a combined formal and non-formal basic education in community schools in villages each in Mali and in Côte d'Ivoire. Project components include adapting vocational education in community schools, with an emphasis on agriculture and youth mentoring, including quality farming practices and functional literacy for students and community members. Activities include public awareness campaigns, community focus groups, and interaction with government officials, worker groups, and other organizations" (WCF website, 2008). Based on statistics provided by Industry, the CLASSE project trained 1,686 youths, and 1,278 youths were sensitized to child labor. In addition, 7,288 youths were sensitized to HIV/AIDS, 9 schools were renovated, and cocoa plots, school gardens and tree nurseries were established (Industry Report, September 2007).

The Sustainable Tree Crops Program, whose primary supporters are USAID and the World Cocoa Foundation (IITA/STCP 2006), instituted The Farmer Field School (FFS) program in Ghana and Côte d'Ivoire with a Pilot Phase from 2003-2006 and a Phase II from 2007-2011. The FFS approach "*focuses on promoting the sustainable production and marketing of quality cocoa, improving marketing channel efficiency, raising incomes for small-scale producers and creating environmentally friendly, socially responsible, and economically sustainable cocoa production systems*" (STCP CI, 2008). Thus, the FFS model represents an omnibus mechanism to deliver a variety of practical and didactic content to farmers in the rural areas with an emphasis on improved crop production techniques, yet includes modules on HIV/AIDS prevention and child labor sensitization. In Côte d'Ivoire, STCP reported that as of April 2008, 11,082 farmers had been directly trained through 321 FFS (STCP CI, 2008). In Ghana, 3,590 farmers were trained through 128 FFS as of April 2008, and an additional 7,769 farmers were reached indirectly through farmer-to-farmer diffusion (STCP Ghana, 2008).

The ECHOES Alliance (Empowering Cocoa Households with Opportunities and Education Solutions) is a program operating in Côte d'Ivoire and Ghana with a program life from October 2007 to September 2009. Funded by USAID, WCF, and various international cocoa and chocolate companies and associations, the program is implemented by IFESH, Winrock International, and Making Cents International. ECHOES aims to expand educational and vocational opportunities for youth living in cocoa-growing communities by:

- providing teachers with pedagogical training (6000);
- establishing resource centers (7);
- improving the literacy of youth, young adults and farmers (7,780);
- providing in-school vocational agricultural training to primary and secondary school students (3,990);
- providing out-of-school youth (ages 15-30) with vocational education, business training and a start-up kit (260);
- providing parent/student pairs receive family support scholarships (250); and
- providing parents with small business development and leadership skills training (170); (ECHOES, 2008).

In addition, the International Cocoa Initiative (ICI) addresses labor practices on cocoa farms and has collaborated with the Governments of Côte d'Ivoire and Ghana notably to enhance direct community action. The ICI partnership comprises chocolate industry, trade unions, cocoa processors and NGOs. Through local NGO partners, ICI implements a *Community Sensitisation and Action Against Child Labor* program in reportedly 158 of Ghana's communities. These communities are mainly located in the Western Region, but communities in the Ashanti and Central region have also been targeted. Community Action Plans (CAPs) are developed that primarily seek to improve education, change labor practices, improve health and nutrition, as well as improve income generation. In Côte d'Ivoire, ICI implements the same program with the help of 4 implementing agencies in reportedly 94 of the countries communities located in Bas Sassandra, Des Lagunes and Agneby and Sud Bandama (ICI, 2008).

Other projects supported by Industry include the Ivorian School Canteen Program that reached 257 primary schools and 79,000 children in Côte d'Ivoire. The program started in 2004/05 and is supported by ADM and the WCF. Among the projects supported by

Cargill is the Cargill-CARE Rural Education Project. The project was initiated in 2006 and has reached 30,000 farmers in 30 communities and a 17.5% increase in school enrollment in the targeted communities is reported. In a partnership with Kraft Foods, Save the Children UK provided educational support to 3,000 children in Côte d'Ivoire to protect, educate and reunite children in conflict areas (Industry Report September 2007).

A major study supported by Industry and carried out under the auspices of ICI includes a comprehensive description and analysis of the education sector and options for alternative and complementary educational initiatives in cocoa farming communities (Odonkor 2007). It includes a wide range of carefully documented options which, if adopted and funded by Industry and/or the Governments, will improve the quality of education, provide outreach programs to out-of-school children and strengthen the curriculum for children in the cocoa region.

Based on Industry submissions to Tulane concerning Industry and individual company support of interventions related to School Enrollment, Retention and Vocational Training Programs from January 2005 through December 2008, the following table has been compiled.² Industry has not provided Tulane with an explicit definition of “response” or “remediation” for sub-unit budgeting nor with a further breakdown of the quoted numbers although we understand that they are requesting further budget related breakdown from their members.

Table 26. Relevant interventions supported by Industry

Category	Activities	Amount (in US\$)
Response/ Remediation	Support for the International Cocoa Initiative (ICI)	\$6,794,000
Response/ Remediation	Programs to help improve farmer incomes and educate farmers on safe, responsible labor practices, administered through (STCP) and WCF	\$2,553,000
Response/ Remediation	Programs to address improve social conditions in cocoa farming communities, including access to quality, relevant education, funded through the Initiative for African Cocoa Communities (IACC) and managed by the WCF	\$1,365,000
Response/ Remediation	Individual company programs to improve conditions on cocoa farming communities; improve labor practices	\$19,121,300
Response/ Remediation	Support for the “ECHOES” program	\$674,000
Total		\$30,507,300

Source: Industry, 2008

Successive assessment activities being implemented by Tulane, notably the Intervention Database, will verify the data submitted by Industry, assess results of interventions targeting School Enrollment, Retention and Vocational Training, as well as determine the relative coverage of each intervention relative to the Harkin-Engel Protocol.

² Organizations submitting information include: Archer Daniels Midland; Barry Callebaut; Cargill; Cadbury; Ferrero; the Hershey Company; Kraft; Mars, Nestle and the National Confectioners Association

Interventions Supported by the Governments of Côte d'Ivoire and Ghana

Beyond the initiatives undertaken by Industry and individual cocoa/chocolate companies, the Harkin-Engel Protocol also appears to have contributed to the scaling up of government efforts to improve education and other training programs. It is, however, important to note that the origin of many programs pre-dates the Protocol and reflects the long-standing commitment of the respective government to invest in education. According to the Government of Ghana, the Government's efforts to improve education and other training programs have "nothing to do with the Harkin-Engel Protocol" (Ghana Government Comments of Draft First Annual Report presented to Tulane University, 2007, p.8). Indeed, ongoing measures to expand access to education and to enhance its quality include the government's pursuit of universal primary education and the full implementation of the Free Compulsory Basic Education (FCUBE) policy.

In Ghana, the government has moved towards full implementation of a policy of capitation grants to make attendance at public primary and junior secondary school free throughout the country beginning in 2005/2006. It has also introduced a two-year Early Childhood Development Programme that will reduce the need for parents to take four and five-year olds with them to their workplaces. Other programs include improved infrastructure, the provision of textbooks and school feeding (MMYE 2005). While these are national programs, they include children in cocoa-growing regions and when implemented should contribute to meeting the objectives outlined in the Protocol.

Government-led remediation efforts in Ghana are accelerating notably with the approach of decentralizing implementation activities and empowering locally driven initiatives through district and community action plans (CAP). Sensitization workshops in 45 cocoa-growing districts resulted in the design and submission of district-specific action plans by over 30 districts. NPECLC funded 11 of these action plans with the support of the Danish Embassy and subsequently monitors the implementation. The action plans feature the following initiatives:

- Community sensitization;
- Identification of children involved with WFCL;
- Enrollment of identified children in school or vocational training; and
- Formation of child rights clubs with sensitization mission.

Four NGOs – the Center for the Development of People (CEDEP), Take Care Foundation (T-CAF), Project Planning and Management Network (PROMAG) and Child Rights International (CRI) – have also signed MOUs and been contracted by the GoG to provide support to children who need to be enrolled in school and stimulate community mobilization efforts (MMYE 2008).

In addition, according to the Government of Ghana, "GoG through COCOBOD is undertaking several multi-purposed interventions which will culminate in the elimination of worst forms of child labour in cocoa. COCOBOD has instituted a scholarship scheme which has been operational since 1951. Beneficiaries of the scheme are wards of cocoa farmers. A total of about 7,500 children therefore benefited from that scheme during the

2007/2008 academic year. The Cocoa Diseases and Pest Control (CODAPEC) Programme is meant to forestall the use of children in spraying of insecticide. COCOBOD has also begun a project to provide solar street lamps in cocoa-growing communities as well as constructing over 571 km of roads linking cocoa farming communities. GoG has also begun pilot affordable housing scheme for cocoa farmers in the Western Region of Ghana. As part of implementation of the Growth and Poverty Reduction Strategy (GPRS 2), several micro-credit schemes are also available throughout the country. The Micro-Assistance and Small Loans Scheme (MASLOC), which was established in 2006, has benefited at least 10,000 men and women, giving them the chance to earn an income” (Government of Ghana’s comments to Tulane, 2008).

In Côte d’Ivoire, the national action plan to combat the WFCL calls for measures to improve the educational system and reduce dropout rates. It includes the free distribution of textbooks in administrative departments with high rates of children working on cocoa farms, and school canteens. It also calls for the establishment of literacy and other alternative education strategies to reach children in these regions who lack access to government schools (Gouvernement de la Republique de Côte d’Ivoire, 2007). The Government of Côte d’Ivoire has recently provided an update of its project activities in the publication titled “Evaluation des actions de remediation engagees dans la lutte contre les pires formes de travail des enfants dans la cacaoculture en Côte d’Ivoire” (Gouvernement de la Republique de Côte d’Ivoire, 2008).

Project Activities in Support of Children

As part of Tulane’s first population-based surveys of child labor in the cocoa-growing areas during the harvest season of Nov/Dec 2007, the interviewed children and caregivers were asked about any involvement of the children in project activities in support of children in the area. In Côte d’Ivoire, 1.7% of the children reported to have benefited from a project and 4.4% of the interviewed caregivers said that at least one child in the household had previously participated in a project. In Ghana, 5.2% of the children reported to have benefited from a project, and 8.3% of the interviewed caregivers indicated that at least one child in the household had participated in a project.

If a project was located in a community, the interviewers attempted to locate and interview the most knowledgeable person – current or former staff – to obtain additional detail. Five project interviews were completed in Côte d’Ivoire and 24 project interviews were completed in Ghana. However, “project” was broadly defined in the survey: Adults and children were asked whether or not the child has benefitted from any project activities carried out in the area in support of children. Therefore, only 5 projects surveyed in Ghana are specifically addressing child labor in the cocoa sector while a larger percentage is benefitting children on a more general level. Ongoing projects as well as projects that have recently – in past 2 years – been completed were covered. This included projects financed by the cocoa/chocolate industry as well as projects financed by the Governments of Côte d’Ivoire and Ghana, foreign governments, international organizations, NGOs, etc. In Côte d’Ivoire, four of the identified projects were implemented by the German Development Agency (GTZ) and one was implemented by the ILO (WACAP). The identified projects in Ghana were implemented by the Government of Ghana and a variety of international stakeholders and local

NGOs. Among the projects identified in Ghana were WACAP and at least one project financed by the International Cocoa Initiative (ICI).

Database of Interventions

In view of comprehensively assessing educational, vocational, and rehabilitation efforts in Ghana and Côte d'Ivoire as stipulated in the Oversight's *Task 6* and *Task 7*, Tulane University, in partnership with WAHO and the two countries, is developing a Child Labor Intervention Database.

The objective of this database is to provide a comprehensive baseline overview, classification, and description of interventions, whose objectives is to have an impact on the lives of children at risk, who are, or who were child laborers in the West African cocoa sector. Relevant programs or projects that provide remediation, mitigation, rehabilitation, education and/or vocation activities will be assessed with findings underpinned by primary data. Visualization of the data will be accomplished through a web-based GIS-enhanced database, which will spatially represent key indicators.

A conceptual framework of Child Labor Interventions was developed with projects classified according to the nature and intended impact of the activity. The database will contain a description of programs and projects based on information from Industry and governments, which will be triangulated by independent research.

A demonstration CD-ROM version of the Intervention Database directly capturing secondary data serves as an initial framework. It provides the following overview of interventions:

- 51 Implementing Organizations
- 88 interventions – 33 in Ghana and 37 in Côte d'Ivoire and some in both
- Intervention Classification (with overlap):
 - Mitigation - 39
 - Remediation - 40
 - Rehabilitation - 9
 - Education - 59
 - Vocation - 20

The 2nd Consultative Meeting in both Côte d'Ivoire and Ghana in July 2008, served as a timely opportunity to: (1) introduce the development of a comprehensive database of interventions, (2) sensitize stakeholders and actors with regard to the imminent research ahead (i.e. its methodology, target population, etc.), and (3) invite full participation/cooperation from government, Industry and other actors to arrive at a comprehensive assessment of pertinent initiatives. Both Governments, as specifically expressed by Madame Acquah Assouan of Côte d'Ivoire and Madame Rita Amankwah of Ghana, not only welcomed the creation of the Intervention Database but assured the initiative would enjoy full support and cooperation from the respective government, which to-date has been forthcoming.

The approach to developing this comprehensive Intervention Database invokes the following 8 steps:

1. Development of Database Structure and Conceptual Framework;
2. Collection of Secondary Data
3. Preliminary Categorization of Programs and Projects
4. Drafting and dissemination of the Intervention Database's Terms of Reference (TOR) including survey instruments
5. Sensitization of stakeholders including the Government of the planned initiative (Consultative Meetings 2008)
6. Coordination of intervention-related assessment with Governments (e.g. August 19, 2008 in Accra, Ghana)
7. Primary Data Collection
 - Interviews (project managers and project beneficiaries)
 - On-site surveying and observation
8. Development of Intervention Database

To-date, Tulane and WAHO are in the process of completing step 6 recently holding a very constructive joint technical meeting with the Government of Ghana in Accra on August 19, 2008, with the main purpose of exploring potential areas of collaboration. A second meeting with Government of Ghana officials to review terms of reference and exchange intervention lists was organized on September 24, 2008. This meeting has very successfully taken place and will provide a more collaborative forum for future collaborations.

In sum, the concept of an Intervention Database and its methodology enjoys support and collaboration from the Governments of Ghana and Côte d'Ivoire. WAHO will launch the collection of primary data to assess all relevant initiatives before the end of the year. Thereafter, the final step of developing the Intervention Database will be initiated.

Conclusions

Tulane's population-based surveys of 2007 interviewed few children who are aware of project activities carried out in their communities and relatively few children report that they have themselves benefited from any projects. Only approximately 5% of the children interviewed in Ghana and approximately 2% of the children interviewed in Côte d'Ivoire report that they have benefited from any project activities. Approximately one third of the more than 100 project activities reported by the international cocoa/chocolate industry since the implementation of the Harkin-Engel Protocol appear to be targeted at education and vocational training. They include educational projects for adults as well as for children. Secondary data collected previously by other institutions suggest that among the most important and visible projects that are supported in part or entirely by Industry are the CLASSE program, ANADER and GTZ in Côte d'Ivoire and the IFESH Teacher Training and the IITA activities – such as the Sustainable Tree Crops Program (STCP) and the Farmer Field Schools – in Côte d'Ivoire and Ghana. However, the

information available from Industry and other sources is insufficient to quantify how many children have been reached by the interventions. It is also unclear how much Industry has spent on education, vocational training and rehabilitation since few numbers are provided and some of the information may be outdated. While a multitude of activities are reported by Industry as being implemented with thousands of children having benefited in both countries, primary data needs to be collected to offer a clear overview and verify the facts as stated by Industry. Ultimately, the Intervention Database is intended to fill this information gap.

Recommendations

1. Tulane will pursue the inventory and GIS-based database of project interventions requested by both Governments.
2. Continue work on hazardous child labor frameworks and objective outcomes and emphasize intervention activities targeted at reducing exposure to hazardous work.
3. Emphasize interventions that target high risk groups with remediation efforts: working children below minimum age, children working long hours, children out of school, children separated from family, etc.

Rehabilitation of Children Withdrawn from Exploitative Child Labor

Industry-financed rehabilitation projects are covered by Tulane's database of intervention activities; however, few interventions targeted at rehabilitation have been reported. During Tulane's research trip to Mali and Burkina Faso, rehabilitation activities in support of trafficked children and other vulnerable children were assessed. Interviews with eight providers of services (local and international NGOs) to vulnerable or trafficked children were completed. These groups, all of them working in areas of Mali and Burkina Faso close to the border with Côte d'Ivoire, did not receive funding from Industry or the Governments of Côte d'Ivoire or Ghana. Tulane also attended a round table of organizations involved in the work against child trafficking and child labor in West Africa organized by Save the Children Canada in Ouagadougou. The planned survey of migration and trafficking from countries in the region to Côte d'Ivoire and Ghana will serve to provide more detailed information. Remediation and rehabilitation interventions carried out in both countries will furthermore be captured in the Intervention Database.

Key Concepts and Definitions

Key indicators are the number of children withdrawn from exploitive work and the number of direct beneficiaries of project activities. The definitions given below are the same as those provided in the previous chapter.

Children withdrawn from exploitative work are "those children who were found to be working in exploitative child labor and no longer work under such conditions as a result of a direct project intervention. This category includes: a) children who have been completely withdrawn from work, which is required by ILO Convention 182 for unconditional worst forms of child labor, and b) children who were involved in exploitative or hazardous work (Article 3(d) of C.182) or work that impedes their education (ILO Convention 138) but who are no longer working under such conditions due to improved working conditions (i.e. fewer hours, safer workplaces) or because they have moved into another acceptable form of work. To be considered as withdrawn from exploitative child labor, each child must have benefited or be benefiting from services that are provided by projects funded by the international cocoa industry, the Governments of Côte d'Ivoire and Ghana, or organizations with whom they may be partnering in this effort" (DOL-Tulane contract).

Direct beneficiaries refers to "children who, as a result of a project funded by the international cocoa industry, the Governments of Côte d'Ivoire and Ghana, or organizations with whom they may be partnering in this effort, are withdrawn or prevented from entering exploitative child labor (as defined above)" (DOL-Tulane contract).

Methodology

The methodology used to assess rehabilitation activities is similar to the one used to assess education and vocational training consisting of a combination of primarily quantitative tools (survey research, intervention database) and qualitative methods (case studies, interviews with stakeholders, etc.). Aside from the population-based survey in both countries, all information either submitted to Tulane or sourced by Tulane with regard to rehabilitation activities is secondary data. The collection of primary data on rehabilitation activities will be a focus of the planned intervention database. A reputational or snowball sampling frame will be utilized as the small expected number of cases precludes traditional random sampling methods.

Industry-Supported Public-Private Partnerships

Few of the programs that are supported by the cocoa/chocolate industry appear to be targeted directly at rehabilitation. ICI reports a planned MADINA rehabilitation center in Ghana but details have not been provided. The Government of Ghana reports that this center has now been established. As part of the partnership between Kraft Foods and Save the Children UK, at least 55 unaccompanied children have been registered and aided in Côte d'Ivoire. Of these children, 60% were reunited with their family and 30% established contact with their families.

Table 27. List of projects financed by Industry targeted at rehabilitation

Name of Project/Program/Consultancy	Start Date	Completion Date	Name of Company	Impact/Output	Implementing Organization	Company Contribution	Country
Support to MADINA Rehab centre			ICI		Government of Ghana	\$22,727	Ghana
Partnership with Save the Children: Protect, educate & reunite children in conflict areas	2005	2006	Kraft Foods UK	3,000 children in educational support; 55 unaccompanied children registered & aided; 60% reunited with family; 30% established contact with families	SCF UK		Côte d'Ivoire
West Africa Cocoa/Commercial Agriculture Program to Combat Hazardous and Exploitative Child Labour (WACAP)	2002	2006	DOL, Industry	Awareness-raising of families and communities; capacity enhancement of farmers/producers, inspectors and workers; pilot interventions to remove children from work and facilitate their enrolment in education and training programs; pilot projects to improve income generating capacity of families	ILO	DOL:\$5 million Industry:\$1 million	West Africa

Sources: Internal reports and documents submitted to Tulane University; Information published by ICI, WCF, cocoa/chocolate companies, and implementing partners on official websites.

In addition, the West Africa Cocoa/Commercial Agriculture Program to Combat Hazardous and Exploitative Child Labour (WACAP) initiative was managed by ILO/IPEC and funded by the DOL (\$5 million) and Industry (\$1 million). It included “pilot interventions to remove children from work and facilitate their enrolment in education and training programs” (ILO/IPEC 2005a).

In Côte d’Ivoire, the ICI funded the production of three guides dealing with the social protection of children classified as victims of the worst forms of child labor. One is targeted to the local populations, another to professionals in social protection and a third, to officials responsible for the enforcement of legislation to protect children (International Cocoa Initiative 2004). These guides are now used as part of training and sensitization initiatives carried out through the Industry-funded IFESH project. In Ghana, ICI has supported Participatory Development Associates (PDA) to conduct community-based sensitization activities.

Industry believes that the definition of “rehabilitation” includes the provision of educational services to children engaged in exploitive labor. Education is certainly part of the rehabilitation process for many children that are being withdrawn from exploitive labor situations. For Industry’s achievements on the provision of educational services please see the previous section (“School Enrollment, Retention and Vocational Training Programs”).

Interventions Supported by the Governments of Côte d’Ivoire and Ghana

Interventions designed to rehabilitate children withdrawn from child labor are included in the National Programme for the Elimination of the WFCL in the Cocoa Sector 2006-2011 in Ghana and the National Action Plan in Côte d’Ivoire (2007). In Ghana, this includes the Human Trafficking Act, the Domestic Violence Bill and a new labor act that strengthens the framework for addressing WFCL. In Côte d’Ivoire, the plan identifies actions to withdrawn children from exploitive situations, facilitates their return to their families inside the country or to neighboring countries, and institution and capacity-building initiatives.

Beyond both Governments and Industry, other organizations have implemented programs in West Africa targeted at children who are victims of trafficking, forced labor, and other WFCL and who are in need of rehabilitation. Among these are the “Sub Regional Project on Eradicating Child Domestic Work and Child Trafficking in West and Central Africa” by Anti-Slavery International, the DOL-funded “Education First Project (EFP)” implemented by Catholic Relief Services/Benin (CRS/Benin), the DOL-funded “Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (LUTRENA)” program implemented by ILO, the “Action Programme against Forced Labour and Trafficking in West Africa” by ILO and the UK Department for International Development (DfID), the “UNESCO Project to Fight Human Trafficking in Africa” by UNESCO, and “Combat against Child Trafficking and the Worst Forms of Child Labour” by GTZ in Côte d’Ivoire.

Conclusions

Pending the collection of primary data, thus far it appears that few of the Industry-supported programs are directly targeted at rehabilitation or have a clearly identifiable rehabilitation component. In addition, information sent to Tulane by Industry contains few details on the scale of activities, numbers of children reached and costs. The largest rehabilitation/remediation effort to-date appears to be the WACAP initiative that was in part financed by Industry. This does not necessarily mean that children experiencing exploitive child labor and in need of rehabilitation do not benefit from any interventions since they may be involved with other programs that receive Industry-funding but that are not directly targeted at rehabilitating children. Here as well, the planned Intervention Database will shed more light on the scope and depth of rehabilitation efforts.

Recommendations

1. Continue to pursue the inventory and GIS-based database of project interventions requested by both Governments.
2. Be more specific with operational definitions of WFCL most frequently encountered in the cocoa sector including the exposure to hazardous working conditions.
3. Continue assessment of hazardous child labor frameworks and emphasize intervention activities that target reducing exposure to hazardous work.
4. Target high-risk groups with remediation efforts: working children below minimum age, children working long hours, children out of school, and children separated from family.
5. Work to develop a forum that assists the Governments of Côte d'Ivoire and Ghana in quantifying and measuring WFCL for legal purposes.

Discussion and Findings

During the 12 months since our last report, there has been an increased activity by all of the key actors – the international cocoa/chocolate industry, the cocoa producing countries of Ghana and Côte d'Ivoire, the NGO community and the consuming public represented by the US Congress – in addressing the problem of worst forms of child labor in the cocoa sector. The Governments of Ghana and Côte d'Ivoire clearly demonstrate – through public workshops, meetings and recent publications – a growing ownership of the problem and response to WFCL in its various dimensions. Steps have been taken not only to design certification and verification systems but also to create legislation and monitoring systems that have never existed in this comprehensive form.

Industry and individual cocoa/chocolate firms have continued to show their commitment to addressing the WFCL by providing financial support for interventions (e.g. rehabilitation, education and vocational training, etc.) that target vulnerable children. The scale, effectiveness and costs of these interventions are the subject of a joint intervention directory and database proposed for the coming year. While there is some effort required to transform the strategies and planning documents produced by Ghana and Côte d'Ivoire into detailed, budgeted program and project plans, we believe that progress is being made in achieving the goal of establishing a credible and transparent certification system, an independent verification system, and we notice increased efforts towards remediation.

In the first year of the Tulane contract issues of transparency and data sharing were at the forefront as each of the multiple groups involved with oversight sought to clarify their relative roles. In this, the second, year of contract activities, the majority of those issues have been resolved with the interchange of data between Tulane, the Governments, Industry and NGO representatives. While there will be differences in interpretation based upon analysis and collection methodologies, there seems to be no barrier to free exchange of data sets for joint and individual analysis. We therefore believe that transparency has been achieved and will be verified by the exchange of survey data in the weeks after this submission to Congress. Data sets regarding interventions have already been exchanged and channels are open for further collaboration in both countries.

Establishing operational definitions including the transformation of concepts such as “worst forms of child labor” into quantifiable verifiable definitions is a goal of efforts to validate the efforts of Industry to “eliminate the worst forms of child labor”. There is no lack of definition regarding the worst forms of child labor agreed upon at the international level. What has not been agreed upon, however, is the operational definition of hazardous child labor. Each country is expected to establish its own definition. Both Côte d'Ivoire and Ghana have made progress in working towards national operational definitions, most recently Ghana with the development of the new national framework on hazardous activities. In addition, a methodology for the measurement of the different unconditional worst forms of child labor (trafficking, forced labor, etc.) is only starting to evolve. While the problem of standardization and operationalization is being addressed at the national level, it will continue to be an issue until there is a comparable set of quantifiable measure of the desired outcome “worst forms of child labor.” Without them,

it will be impossible to mount an evidence-based certification system or to effectively monitor progress on the ground.

Recommendations

We conclude this year's report with a series of suggested actions, which we believe will positively impact the process of moving towards collaborative, transparent and mutually supportive activities to safeguard and improve the health and well-being of children in the cocoa sector and thus achieve what is the ultimate objective of the Harkin-Engel Protocol. These recommendations are based on the results from Tulane's first harvest surveys of child labor in the cocoa-growing areas of Côte d'Ivoire and Ghana and the findings from our other research and monitoring activities. The suggested actions, if implemented, will improve the process and outcome of working towards the elimination of the worst forms of child labor in the cocoa sector. Key recommendations include:

The Certification System

1. Continue the cooperative efforts between the Governments of Côte d'Ivoire, Ghana and the international cocoa/chocolate industry and other stakeholders to revise and standardize the methodology of certification.
2. Increase the emphasis and budget on effective remediation activities while maintaining certification and verification processes.
3. Ensure continued financial commitment by Industry to both certification and verification.
4. Establish quantifiable performance objectives against which verification will take place.
5. Identify regional or international organizations that could support and continue the certification process.

Child Labor Monitoring and Verification Systems

1. Identify and address structural issues such as sustainability and the independence of the process of verification.
2. Ensure continued short to medium-term financial commitment by Industry to both certification and verification.
3. Industry, USG and the Governments of Côte d'Ivoire and Ghana should work together to identify self-sustaining mechanisms for verification and certification in the long run.

First Annual Harvest Season Survey

1. Develop a specific action plan to address challenges associated with the WFCL most frequently encountered in the cocoa sector, the exposure to hazardous working conditions.
2. Continue work on hazardous child labor frameworks and operationalized definitions and emphasize intervention activities targeted at reducing exposure to hazardous work.
3. Address and refine measurement issues associated with measuring hazardous work and the unconditional WFCL.
4. Target high-risk groups with remediation efforts: working children below minimum age, children working long hours, children out of school, children separated from family, etc. Set coverage and performance targets once baseline data has been collected.

Exploitive Child Labor in the Supply Chain

1. Focus remediation efforts on children exposed to high-risk activities such as the spraying of chemicals.
2. Identify and test strategies to reach vulnerable children and high-risk groups (such as trafficked children).
3. Assess the extent and characteristics of child trafficking to work on cocoa farms from neighboring countries as well as internal trafficking.
4. Emphasize regional and cross-border approaches and interventions to eliminate child trafficking for work on cocoa farms.
5. Continue to refine through assessment and study operational definitions of WFCL for country legal use.

School Enrollment, Retention, and Vocational Training Programs

1. Tulane will pursue the inventory and GIS-based database of project interventions requested by both Governments.
2. Continue work on hazardous child labor frameworks and objective outcomes and emphasize intervention activities targeted at reducing exposure to hazardous work.

3. Emphasize interventions that target high-risk groups with remediation efforts: working children below minimum age, children working long hours, children out of school, children separated from family, etc.

Rehabilitation of Children Withdrawn from Exploitive Child Labor

1. Continue to pursue the inventory and GIS-based database of project interventions requested by both Governments.
2. Be more specific with operational definitions of WFCL most frequently encountered in the cocoa sector including the exposure to hazardous working conditions.
3. Continue assessment of hazardous child labor frameworks and emphasize intervention activities that target reducing exposure to hazardous work.
4. Target high-risk groups with remediation efforts: working children below minimum age, children working long hours, children out of school, and children separated from family.
5. Work to develop a forum that assists the Governments of Côte d'Ivoire and Ghana in quantifying and measuring WFCL for legal purposes.

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Appendix 1: The Harkin-Engel Protocol



Chocolate Manufacturers Association

PROTOCOL FOR THE GROWING AND PROCESSING OF COCOA BEANS AND THEIR DERIVATIVE PRODUCTS IN A MANNER THAT COMPLIES WITH ILO CONVENTION 182 CONCERNING THE PROHIBITION AND IMMEDIATE ACTION FOR THE ELIMINATION OF THE WORST FORMS OF CHILD LABOR

Guiding Principles:

- * *OBJECTIVE* – Cocoa beans and their derivative products should be grown and processed in a manner that complies with International Labor Organization (ILO) Convention 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor. ILO Convention 182 is attached hereto and incorporated herein by reference.
- * *RESPONSIBILITY* – Achieving this objective is possible only through partnership among the major stakeholders: governments, global industry (comprised of major manufacturers of cocoa and chocolate products as well as other, major cocoa users), cocoa producers, organized labor, non-governmental organizations, and consumers. Each partner has important responsibilities. This protocol evidences industry’s commitment to carry out its responsibilities through continuation and expansion of ongoing programs in cocoa-producing countries and through the other steps described in this document.
- * *CREDIBLE, EFFECTIVE PROBLEM SOLVING* – In fashioning a long-term solution, the problem-solving process should involve the major stakeholders in order to maximize both the credibility and effectiveness of the problem-solving action plan that is mutually-agreed upon.
- * *SUSTAINABILITY* – A multi-sectoral infrastructure, including but independent of the industry, should be created to develop the action plan expeditiously.
- * *ILO EXPERTISE* – Consistent with its support for ILO Convention 182, industry recognizes the ILO’s unique expertise and welcomes its involvement in addressing this serious problem. The ILO must have a “seat at the table” and an active role in assessing, monitoring, reporting on, and remedying the worst forms of child labor in the growing and processing of cocoa beans and their derivative products.

Key Action Plan and Steps to Eliminate the Worst Forms of Child Labor:

(1) Public Statement of Need for and Terms of an Action Plan – Industry has publicly acknowledged the problem of forced child labor in West Africa and will continue to commit significant resources to address it. West African nations also have acknowledged the problem and have taken steps under their own laws to stop the practice. More is needed because, while the scope of the problem is uncertain, the occurrence of the worst forms of child labor in the growing and processing of cocoa beans and their derivative products is simply unacceptable. Industry will reiterate its acknowledgment of the problem and in a highly-public way will commit itself to this protocol.

(2) Formation of Multi-Sectoral Advisory Groups – By October 1, 2001, an advisory group will be constituted with particular responsibility for the on-going investigation of labor practices in West Africa. By December 1, 2001, industry will constitute a broad consultative group with representatives of major stakeholders to advise in the formulation of appropriate remedies for the elimination of the worst forms of child labor in the growing and processing of cocoa beans and their derivative products.

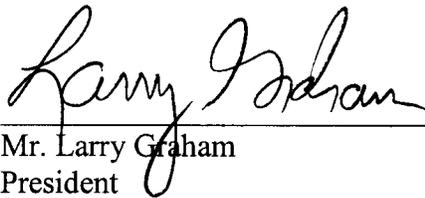
(3) Signed Joint Statement on Child Labor to Be Witnessed at the ILO – By December 1, 2001, a joint statement made by the major stakeholders will recognize, as a matter of urgency, the need to end the worst forms of child labor in connection with the growing and processing of West African cocoa beans and their derivative products and the need to identify positive developmental alternatives for the children removed from the worst forms of child labor in the growing and processing of cocoa beans and their derivative products.

(4) Memorandum of Cooperation – By May 1, 2002, there will be a binding memorandum of cooperation among the major stakeholders that establishes a joint action program of research, information exchange, and action to enforce the internationally-recognized and mutually-agreed upon standards to eliminate the worst forms of child labor in the growing and processing of cocoa beans and their derivative products and to establish independent means of monitoring and public reporting on compliance with those standards.

(5) Establishment of Joint Foundation – By July 1, 2002, industry will establish a joint international foundation to oversee and sustain efforts to eliminate the worst forms of child labor in the growing and processing of cocoa beans and their derivative products. This private, not-for-profit foundation will be governed by a Board comprised of industry and other, non-governmental stakeholders. Industry will provide initial and on-going, primary financial support for the foundation. The foundation's purposes will include field projects and a clearinghouse on best practices to eliminate the worst forms of child labor.

(6) *Building Toward Credible Standards* — In conjunction with governmental agencies and other parties, industry is currently conducting baseline-investigative surveys of child labor practices in West Africa to be completed by December 31, 2001. Taking into account those surveys and in accordance with the other deadlines prescribed in this action plan, by July 1, 2005, the industry in partnership with other major stakeholders will develop and implement credible, mutually-acceptable, voluntary, industry-wide standards of public certification, consistent with applicable federal law, that cocoa beans and their derivative products have been grown and/or processed without any of the worst forms of child labor.

We, the undersigned, as of September 19, 2001 and henceforth, commit the Chocolate Manufacturers Association, the World Cocoa Foundation, and all of our members wholeheartedly to work with the other major stakeholders, to fulfill the letter and spirit of this Protocol, and to do so in accordance with the deadlines prescribed herein.



Mr. Larry Graham
President
Chocolate Manufacturers Association



Mr. William Guyton
President
World Cocoa Foundation



Chocolate Manufacturers Association

WITNESSETH

We hereby witness the commitment of leaders of the cocoa and chocolate industry evidenced on September 19, 2001 and henceforth to fulfill the letter and spirit of this Protocol to eliminate the worst forms of child labor from this sector as a matter of urgency and in accordance with the terms and deadlines prescribed herein.

Senator Tom Harkin
US Senate – Iowa

Senator Herbert Kohl
US Senate – Wisconsin

Congressman Eliot Engel
US Congress – New York

Ambassador Youssoufou Bamba
Embassy of the Ivory Coast



Chocolate Manufacturers Association

WITNESSETH

I hereby witness the commitment of leaders of the cocoa and chocolate industry evidenced on September 19, 2001 and henceforth to fulfill the letter and spirit of this Protocol to eliminate the worst forms of child labor from this sector as a matter of urgency and in accordance with the terms and deadlines prescribed herein.

Mr. Frans Roselaers, Director
International Programme on the Elimination of Child Labour
(IPEC)
International Labor Organization



Chocolate Manufacturers Association

WITNESSETH

I hereby witness the commitment of leaders of the cocoa and chocolate industry evidenced on September 19, 2001 and henceforth to fulfill the letter and spirit of this Protocol to eliminate the worst forms of child labor from this sector as a matter of urgency and in accordance with the terms and deadlines prescribed herein.

Mr. Ron Orwald
General Secretary
International Union of Food, Agricultural, Hotel, Restaurant,
Catering, Tobacco and Allied Workers' Associations (IUF)



Chocolate Manufacturers Association

WITNESSETH

I hereby witness the commitment of leaders of the cocoa and chocolate industry evidenced on September 19, 2001 and henceforth to fulfill the letter and spirit of this Protocol to eliminate the worst forms of child labor from this sector as a matter of urgency and in accordance with the terms and deadlines prescribed herein.

Mr. Kevin Bales
Executive Director
Free The Slaves



Chocolate Manufacturers Association

WITNESSETH

I hereby witness the commitment of leaders of the cocoa and chocolate industry evidenced on September 19, 2001 and henceforth to fulfill the letter and spirit of this Protocol to eliminate the worst forms of child labor from this sector as a matter of urgency and in accordance with the terms and deadlines prescribed herein.

A handwritten signature in black ink, appearing to read "Linda Golodner", is written over a horizontal line.

Ms. Linda Golodner
President
National Consumers League



Chocolate Manufacturers Association

WITNESSETH

I hereby witness the commitment of leaders of the cocoa and chocolate industry evidenced on September 19, 2001 and henceforth to fulfill the letter and spirit of this Protocol to eliminate the worst forms of child labor from this sector as a matter of urgency and in accordance with the terms and deadlines prescribed herein.

Ms. Darlene Adkins
National Coordinator
The Child Labor Coalition



Chocolate Manufacturers Association

**ATTACHMENT TO
PROTOCOL FOR THE GROWING AND PROCESSING OF
COCOA BEANS AND THEIR DERIVATIVE PRODUCTS
IN A MANNER THAT COMPLIES WITH ILO CONVENTION 182
CONCERNING THE PROHIBITION AND IMMEDIATE ACTION FOR THE
ELIMINATION OF THE WORST FORMS OF CHILD LABOR**

Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

Convention: C182

Place: Geneva

Session of the Conference: 87

Date of adoption: 17 June 1999

The General Conference of the International Labour Organization:

- Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its 87th Session on 1 June 1999.
- Considering the need to adopt new instruments for the prohibition and elimination of the worst forms of child labour, as the main priority for national and international action, including international cooperation and assistance, to complement the Convention and the Recommendation concerning Minimum Age for Admission to Employment, 1973, which remain fundamental instruments on child labour.
- Considering that the effective elimination of the worst forms of child labour requires immediate and comprehensive action, taking into account the importance of free basic education and the need to remove the children concerned from all such work and to provide for their rehabilitation and social integration while addressing the needs of their families.
- Recalling the resolution concerning the elimination of child labour adopted by the International Labour Conference at its 83rd Session in 1996.
- Recognizing that child labour is to a great extent caused by poverty and that the long-term solution lies in sustained economic growth leading to social progress, in particular poverty alleviation and universal education.
- Recalling the Convention on the Rights of the Child adopted by the United Nations General Assembly on 20 November 1989.
- Recalling the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up, adopted by the International Labour Conference at its 86th Session in 1998.
- Recalling that some of the worst forms of child labour are covered by other international instruments, in particular the Forced Labour Convention, 1930, and the United Nations Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, 1956.

- Having decided upon the adoption of certain proposals with regard to child labour, which is the fourth item on the agenda of the session.
- Having determined that these proposals shall take the form of an international Convention adopts this seventeenth day of June of the year one thousand nine hundred and ninety-nine the following Convention, which may be cited as the Worst Forms of Child Labour Convention.

Article 1

Each Member which ratifies this Convention shall take immediate and effective measures to secure the prohibition and elimination of the worst forms of child labour as a matter of urgency.

Article 2

For the purposes of this Convention, the term *child* shall apply to all persons under the age of 18.

Article 3

For the purposes of this Convention, the term *the worst forms of child labour* comprises:

- (a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict;
- (b) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances;
- (c) the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties;
- (d) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.

Article 4

1. The types of work referred to under Article 3(d) shall be determined by national laws or regulations or by the competent authority, after consultation with the organizations of employers and workers concerned, taking into consideration relevant international standards, in particular Paragraphs 3 and 4 of the Worst Forms of Child Labour Recommendation, 1999.
2. The competent authority, after consultation with the organizations of employers and workers concerned, shall identify where the types of work so determined exist.
3. The list of the types of work determined under paragraph 1 of this Article shall be periodically examined and revised as necessary, in consultation with the organizations of employers and workers concerned.

Article 5

Each Member shall, after consultation with employers' and workers' organizations, establish or designate appropriate mechanisms to monitor the implementation of the provisions giving effect to this Convention.

Article 6

1. Each Member shall design and implement programmes of action to eliminate as a priority the worst forms of child labour.
2. Such programmes of action shall be designed and implemented in consultation with relevant government institutions and employers' and workers' organizations, taking into consideration the views of other concerned groups as appropriate.

Article 7

1. Each Member shall take all necessary measures to ensure the effective implementation and enforcement of the provisions giving effect to this Convention including the provision and application of penal sanctions or, as appropriate, other sanctions.
2. Each Member shall, taking into account the importance of education in eliminating child labour, take effective and time-bound measures to:
 - (a) prevent the engagement of children in the worst forms of child labour;
 - (b) provide the necessary and appropriate direct assistance for the removal of children from the worst forms of child labour and for their rehabilitation and social integration;
 - (c) ensure access to free basic education, and, wherever possible and appropriate, vocational training, for all children removed from the worst forms of child labour;
 - (d) identify and reach out to children at special risk; and
 - (e) take account of the special situation of girls.
3. Each Member shall designate the competent authority responsible for the implementation of the provisions giving effect to this Convention.

Article 8

Members shall take appropriate steps to assist one another in giving effect to the provisions of this Convention through enhanced international cooperation and/or assistance including support for social and economic development, poverty eradication programmes and universal education.

Article 9

The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

Article 10

1. This Convention shall be binding only upon those Members of the International Labour Organization whose ratifications have been registered with the Director-General of the International Labour Office.
2. It shall come into force 12 months after the date on which the ratifications of two Members have been registered with the Director-General.
3. Thereafter, this Convention shall come into force for any Member 12 months after the date on which its ratification has been registered.

Article 11

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Director-General of the International Labour Office for registration. Such denunciation shall not take effect until one year after the date on which it is registered.
2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

Article 12

1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organization of the registration of all ratifications and acts of denunciation communicated by the Members of the Organization.
2. When notifying the Members of the Organization of the registration of the second ratification, the Director-General shall draw the attention of the Members of the Organization to the date upon which the Convention shall come into force.

Article 13

The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations, for registration in accordance with article 102 of the Charter of the United Nations, full particulars of all ratifications and acts of denunciation registered by the Director-General in accordance with the provisions of the preceding Articles.

Article 14

At such times as it may consider necessary, the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

Article 15

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides --

(a) the ratification by a Member of the new revising Convention shall ipso jure involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 11 above, if and when the new revising Convention shall have come into force;

(b) as from the date when the new revising Convention comes into force, this Convention shall cease to be open to ratification by the Members.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

Article 16

The English and French versions of the text of this Convention are equally authoritative.



Chocolate Manufacturers Association

We personally support the protocol entered into by industry *Protocol for the Growing and Processing of Cocoa Beans and their Derivative products In a Manner that Complies with ILO Convention 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor* and look forward to its successful execution which we support wholeheartedly.

Gary Guittard
President
Guittard Chocolate Company

Paul Michaels
President
M&M / Mars, Inc.

Edmond Opler, Jr.
President
World's Finest Chocolate, Inc.

G. Allen Andreas
Chairman and Chief Executive
Archer Daniels Midland Company

Bradley Alford
President
Nestle Chocolate & Confections USA

Henry Blommer, Jr.
Chairman of the Board
Blommer Chocolate Company

Richard H. Lenny
President and CEO
Hershey Food Corporation

Andreas Schmid
Chairman & CEO
Barry Callebaut AG



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President and CEO
Hershey Food Corporation

Andreas Schmid
Chairman & CEO
Barry Callebaut AG

Appendix 2: The Joint Statement 2005

JOINT STATEMENT

November 30, 2001

The Association of the Chocolate, Biscuit and Confectionery Industries of the EU, the Chocolate Manufacturers Association of the USA, the Confectionary Manufacturers Association of Canada, the Cocoa Association of London and the Federation for Cocoa Commerce, the Cocoa Merchants Association of America, the European Cocoa Association, the International Office of Cocoa, Chocolate and Confectionery, the World Cocoa Foundation, the Child Labor Coalition, Free The Slaves, the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers Associations, and the National Consumers League (sometimes hereinafter the “Signatories”) recognize the urgent need to identify and eliminate child labour in violation of International Labour Organization (“ILO”) Convention 182 with respect to the growing and processing of cocoa beans and their derivative products.

The Signatories also recognize the need to identify and eliminate practices in violation of ILO Convention 29 with equal urgency.

The Signatories affirm their support for the International Labour Organization’s (ILO) mission to improve working conditions worldwide, as exemplified in the ILO Declaration on Fundamental Principles and Rights at Work. We also share the view that practices in violation of ILO Conventions 182 (the “worst forms of child labour”) and 29 (“forced labour”) result from poverty and a complex set of social and economic conditions often faced by small family farmers and agricultural workers, and that effective solutions to address these violations must include action by appropriate parties to improve overall labour standards and access to education.

The Signatories support the framework provided in the Protocol signed by the Chocolate Manufacturers Association and the World Cocoa Foundation on September 19, 2001, which provides for cooperation and for credible, effective problem solving in West Africa, where a specific program of research, information exchange, and action is immediately warranted.

This Joint Statement expresses the shared commitment of the Signatories to work collaboratively toward the goal of eliminating the worst forms of child labour and forced labour in cocoa growing.

The strategies developed as part of this process will only be credible to the public and meet the expectations of consumers if there is committed engagement on the part of governments, global industry (comprised of major manufacturers of cocoa and chocolate products as well as other, major cocoa users), cocoa producers, labour representatives, non-governmental organizations, and consumers that have joined this process.

The Signatories recognize the need to work in concert with the ILO because the ILO will play an important role in identifying positive strategies, including developmental alternatives for children engaged in the worst forms of child labour and adults engaged in forced labour in the growing and processing of cocoa beans and their derivative products.

The strategies to be developed will be effective only if they are comprehensive and part of a durable initiative. The steps to be taken to sustain this initiative include:

- (i) execution of a binding memorandum of cooperation among the Signatories that establishes a joint action program of research, information exchange, and action to enforce the internationally-recognized and mutually-agreed upon standards to

eliminate the worst forms of child labour in the growing and processing of cocoa beans and their derivative products;

- (ii) incorporation of this research that will include efforts to determine the most appropriate and practicable independent means of monitoring and public reporting in compliance with those standards; and
- (iii) establishment of a joint foundation to oversee and sustain efforts to eliminate the worst forms of child labour and forced labour in the growing and processing of cocoa beans and their derivative products. The Signatories welcome industry's commitment to provide initial and ongoing, primary financial support for the foundation.

We anticipate that other parties may be able to play a positive role in our important work.

Subject to mutual consent by the Signatories, additional parties may be invited to sign onto this statement in the future.

Witnessed by the International Labour Organization this 30th day of November, 2001.

Geneva, Switzerland

By:



Mr. Frans Roselaers, Director
International Programme on the Elimination of Child Labour
(IPEC)
International Labor Organization

ASSOCIATION OF THE CHOCOLATE, BISCUIT AND CONFECTIONERY INDUSTRIES
OF THE EU

By: 

Mr. David Zimmer
Secretary General
CAOBISCO

CHOCOLATE MANUFACTURERS ASSOCIATION OF THE USA

By: 

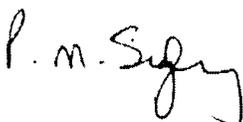
Mr. Lawrence Graham
President
Chocolate Manufacturers Association of the USA

CONFECTIONERY MANUFACTURERS ASSOCIATION OF CANADA

By: 

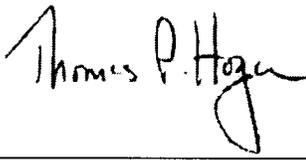
Mr. John Rowsome
President
Confectionery Manufacturers Association of Canada

COCOA ASSOCIATION OF LONDON AND FEDERATION FOR COCOA COMMERCE

By: 

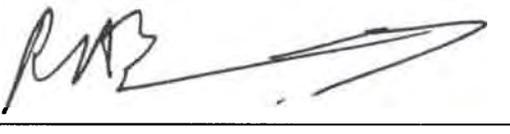
Mr. Phil Sigley
Chief Executive
Cocoa Association of London
Federation for Cocoa Commerce

COCOA MERCHANTS ASSOCIATION OF AMERICA

By:  _____

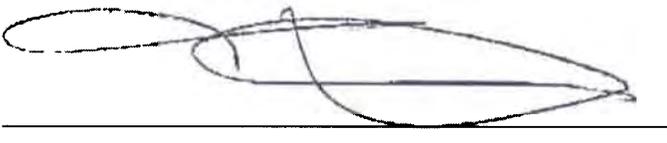
Mr. Thomas P. Hogan
Chairman, Board of Directors
Cocoa Merchants Association of America

EUROPEAN COCOA ASSOCIATION

By:  _____

Mr. Robert Zehnder
Secretary General
European Cocoa Association

INTERNATIONAL OFFICE OF COCOA, CHOCOLATE AND CONFECTIONERY

By:  _____

Mr. Tom Harrison
President
International Office of Cocoa, Chocolate and Confectionery

WORLD COCOA FOUNDATION

By:  _____

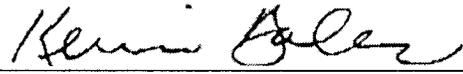
Mr. Bill Guyton
Executive Director
World Cocoa Foundation

CHILD LABOR COALITION

By: 

Ms. Darlene Adkins
National Coordinator
The Child Labor Coalition

FREE THE SLAVES

By: 

Mr. Kevin Bales
Executive Director
Free the Slaves

INTERNATIONAL UNION OF FOOD, AGRICULTURAL, HOTEL, RESTAURANT,
CATERING, TOBACCO AND ALLIED WORKERS ASSOCIATIONS

By: 

Mr. Ron Oswald
General Secretary
International Union of Food, Agriculture, Hotel, Restaurant, Catering, Tobacco and
Allied Workers' Associations (IUF)

NATIONAL CONSUMERS LEAGUE

By: 

Ms. Linda Golodner
President
National Consumers League

Appendix 3: The Joint Statement 2008

For Immediate Release: June 16, 2008

Contact: Jennifer Mullin (Harkin): (202) 224-3254
Joseph O'Brien (Engel): (718) 796-9700
Susan Smith (NCA): (703) 790-5750

Joint Statement from U.S. Senator Tom Harkin, Representative Eliot Engel and the Chocolate and Cocoa Industry on the Implementation of the Harkin- Engel Protocol

Protocol Drives Number of Achievements; Industry Outlines Next Steps

WASHINGTON, DC, USA (June 16, 2008) - In September 2001, industry representatives signed an agreement, today known as the "Harkin-Engel Protocol," developed in partnership with U.S. Senator Tom Harkin (D-IA) and U.S. Representative Eliot Engel (D-NY). The agreement laid out a series of steps aimed at eliminating the worst forms of child labor and forced adult labor from cocoa growing in West Africa. An unprecedented effort, the Protocol marked the first time that an entire industry stepped forward and worked with governments, civil society and other stakeholders to address the worst forms of child labor and forced adult labor in its supply chain.

The development of a system of public certification is a key part of the Harkin-Engel Protocol. In an agreement made in 2005, the industry committed that by July 1, 2008, a public certification system would be in place that would cover 50% of the cocoa farming sector of Côte d'Ivoire and Ghana. In fact, the data collection element of the certification process covering an area that produces at least 50% of the cocoa farming output in each country has been completed, and reports detailing the preliminary results of these surveys by the respective governments are expected to be released by July 1. However, independent verification, which is critical to establishing the validity of the results of the government conducted surveys, partially funded by the industry, will not be fully completed until the end of the year. This robust verification process, which is underway, will improve data collection to ensure accurate reporting of the worst forms of child labor and forced adult labor and strengthen remediation efforts.

This certification process has been developed as a cooperative effort between the North American and European chocolate and cocoa industry together with their international affiliates and the governments of Côte d'Ivoire and Ghana. These surveys, as part of the certification process, will eventually be representative of the entire cocoa sector, reporting the incidence of child and adult labor practices that are unacceptable. This is not the same as product certification, whereby internationally recognized certifying organizations attest that particular products and their specific raw materials are produced according to labor practices that are confirmed by third party auditors.

The certification process being implemented will help governments, industry, and the International Cocoa Initiative (ICI), to focus their efforts toward eliminating the worst forms of child labor and forced adult labor in the cocoa supply chain. Ideally, over time, subsequent surveys will indicate an improvement in the status of child and adult labor practices.

Since its signing, the Protocol has been a positive and important catalyst for change, driving a number of important achievements.

Today, both the governments of Côte d'Ivoire and Ghana are working toward implementing detailed national plans of action, focused on child labor issues across all sectors of their economies, with dedicated senior level officials assigned to lead these ongoing efforts. Both countries have invested in the implementation of certification, and will publicly post the results of their surveys. In addition, each country has committed resources to address issues that are identified through the data collection / reporting process. These efforts are to be acknowledged and applauded.

“I had a chance to see, first hand, the progress that is being made in Ghana and Côte d'Ivoire during a trip in January,” **said Senator Tom Harkin**. “After that trip and meeting children who have already been affected by our work, I am more dedicated than ever to seeing through the commitments made by the industry and the national governments under the Protocol. I am hopeful that the industry will redouble its efforts to increase its contributions to the ICI to effectively deal with remediation needs.”

Representative Eliot Engel added, “Since 2001, I have been firmly committed to working with the cocoa industry and the governments of Ghana and Cote d'Ivoire to do everything we can to work in partnership to eliminate the worst forms of child labor and forced adult labor. My trip to West Africa in January reaffirmed my commitment to this crucial process.”

“The certification process currently being undertaken is delivering an assessment of cocoa labor practices across ever-larger areas of Côte d'Ivoire and Ghana,” **said Larry Graham, President of the National Confectioners Association (NCA)**. “Today, the ICI foundation is actively engaging communities to address labor issues and help children. And we have an ongoing, action-oriented partnership between industry, civil society and these governments, a partnership that will continue to drive change in the years ahead.”

The International Cocoa Initiative

The International Cocoa Initiative (ICI) was established in 2002, as called for under the Protocol. A partnership among NGOs, trade unions, cocoa processors and major chocolate brands, the ICI is a unique initiative that combats the worst forms of child labor and forced adult labor in cocoa farming. To date, industry and individual companies have provided nearly \$10 million in financial support for the ICI and its programs since its formation and will continue to support the foundation in the future.

In 2008, the ICI is working in 104 communities in Côte d'Ivoire and 119 communities in Ghana. In 2006 – 2007 it organized 23 training sessions in Ghana and 17 in Côte d'Ivoire for government officials, local police, NGOs and media to sensitize participants with respect to child and adult labor practices.

“During my recent trip to Ghana and Cote d'Ivoire, I was impressed by the work being done by the International Cocoa Initiative (ICI). The ICI is not only sensitizing communities about the hazards of child and forced adult labor, but is also working to promote the important role of quality education in childhood development,” **said Representative Engel.**

“But if we are to make real progress in eliminating the worst forms of child labor and forced adult labor in the cocoa industry, I believe that the ICI must now substantially scale up its efforts in both Ghana and Cote d'Ivoire. I look forward to working with all of the stakeholders to ensure that ICI efforts are deepened over the next year.”

Future Commitment:

Going forward, the chocolate and cocoa industry will continue to support efforts to eliminate the worst forms of child labor and forced adult labor on cocoa farms and to help cocoa farmers, their families and communities by continuing to work with the national governments to ensure that the certification process, including remediation and verification are fully implemented.

“As an industry, we see this effort as a long-term commitment, one that reflects a shared responsibility for the cocoa farmers and their families at the start of our supply chain,” **said David Zimmer, Secretary General of Association of the Chocolate, Biscuit & Confectionery Industries of the EU (CAOBISCO).** “It is not a commitment that expires with any one date but rather is an essential, ongoing part of how we conduct business. While we focus on near-term milestones, they are in fact part of a longer, sustained effort that reflects our corporate citizenship in this and other areas.”

In the next 2-3 years, this long-term commitment will include the following:

- Industry will work with the governments of Côte d'Ivoire and Ghana to have a sector-wide independently verified certification process fully in place across each country's cocoa-growing sector by the end of 2010.
- Industry will work closely with and assist the governments of Côte d'Ivoire and Ghana as they target and coordinate remediation efforts, based on the results from the certification data reports.
- Companies will deepen their support for the ICI as the foundation expands to additional communities in Côte d'Ivoire and Ghana; further strengthens

government capacity at the national level, and educates key stakeholders in the cocoa supply chain on safe, responsible labor practices.

“Looking ahead, there is still much work to do and our commitment will remain firm,” **remarked Bill Guyton, president of the World Cocoa Foundation (WCF)**, an industry-supported organization that plays a leadership role in improving economic and social conditions for cocoa farming families. “We will build upon the achievements within the Protocol framework, as well as upon our ongoing support for the economic and social development of cocoa farming communities, to make a better life for children and adults on cocoa farms.”

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Appendix 4a: Organizations and Persons Consulted/Interviewed 2007 and 2008

The Tulane team obtained information related to certification and related activities from interviews, meetings and books, articles and documents from the following organizations:

- Agence Ivoirienne pour la Coopération et la Développement (AICD)
- Agence Nationale d'Appui au Développement Rural (ANADER)
- Association pour la Promotion des Exportations de Côte d'Ivoire (APEX-CI)
- Associates for Change (AFC)
- Biscuit, Cake, Chocolate & Confectionery Association (BCCCA)
- Cadbury Schweppes
- Cargill
- Caritas
- Centre for Remote Sensing and Geographic Information Services (CERSGIS), University of Legon
- Cocoa Research Institute of Ghana
- CAOBISCO
- Chocolate Manufacturers Association (CMA)
- Confectionery Manufacturers Association of Canada (CMAC)
- Cocoa Research Institute of Ghana (CRIG)
- Child Labor Coalition
- Centre de coopération internationale en recherche agronomique pour le développement, CIRAD
- Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ)
- Ecole Nationale Supérieure de Statistique et d'Economie Appliquée (ENSEA)
- Economic Commission for Africa (ECA)
- Ethical Corporation
- European Commission
- Fafo Institute for Applied International Studies, Norway
- Fond d'appui formation
- Forum for African Women Educationalists (FAWE)
- Femme – Action – Développement (FEMAD)
- Free the Slaves
- Frontier Analysis Ltd
- Future Resource Development Ltd (FURDEV)
- Government of Cote d'Ivoire
- Ghana Cocoa Board (Cocobod)
- General Agricultural Workers' Union (GAWU)
 - Institutional Development & Empowerment (IDEP)
 - Sustainable Agriculture and Rural Development (SARD)
- Hershey's, The Hershey Company
- International Cocoa Initiative (ICI)
- International Foundation for Education & Self-Help (IFESH)

- International Health Service (HIS)
- International Institute for Tropical Agriculture (IITA)
- International Labor Organization (ILO)
- International Programme for the Elimination of Child Labour (IPEC)
- International Labor Rights Fund (ILRF)
- International Monetary Fund (IMF)
- International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers Associations (IUF);
- Khulisa Management Services
- Kwame Nkrumah University of Science and Technology, School of Medical Sciences, Department of Community Health
- Mars, Incorporated
- Movement pour l'Education, la Sante et le Developpement (MESAD)
- National Confectioners Association (NCA)
- National Consumers League (NCL)
- Nestlé, UK
- Nestlé, USA
- Océan Ogilvy Group
- Participatory Development Association (PDA)
- Rainforest Alliance
- Renforcement des Capacités (RENF CAP)
- République de Côte d'Ivoire
 - Assemblée Nationale
 - l'Autorité de régulation du café et du cacao (ARCC)
 - La Bourse du café et du cacao (BCC)
 - Cabinet du Première Ministre
 - Cocoa Secrétariat
 - Comité Pilotage
 - Embassy of Côte D'Ivoire, Washington
 - Fonds de développement et de promotion des activités de café et de cacao (FDPCC)
 - Ministère de Jeunesse et de l'Education Civique
 - Ministère de l'Agriculture
 - Ministère de la Famille et des Affaires Sociales
 - Ministère de la Fonction Publique et de l'Emploi
 - Ministère de l'Interior
 - Primature
- Republic of Ghana
 - Ministry of Finance & Economic Planning
 - Ministry of Food and Agriculture, Statistics, Research & Information Directorate
 - Ministry of Manpower, Youth and Employment
 - Statistical Service, Ghana
- Rescue Foundation Ghana
- Rolep
- Save the Children (Canada)
- Save the Children UK, Côte d'Ivoire
- Social Accountability International
- Sustainable Tree Crop Program (STCP)
- Trans Fair USA
- UNICEF

- United States Agency for International Development
 - Education Division, Washington
 - Initiative to End Hunger in Africa (IEHA)
 - USAID Ghana
- United States Congress
 - Office of Representative Eliot Engel
- United States Department of Labor
 - Bureau of International Labor Affairs
- United States Department of State, Washington
 - Office of Democracy and Human Rights, Bureau of African Affairs (AF/RSA)
 - Office of International Labor Affairs, Bureau of Human Rights and Labor
 - Office of International Labor Affairs and Corporate Social Responsibility
- United States Department of State, Embassy, Accra, Ghana
 - Democracy and Human Rights Fund Coordinator
 - Economics Section
 - Political Affairs
- United States Senate
 - Committee on Appropriations, Labor, HHS and Education Subcommittee
 - Office of Senator Tom Harkin
- Université de Cocody
- University of Ghana
 - Centre for Gender Studies and Advocacy
 - Department of Agricultural Economics & Agribusiness
 - Institute of African Studies
 - Institute of Statistical, Social and Economic Research (ISSER)
- University of Sussex, Institute of Development Studies (IDS)
- West African Cocoa/Commercial Agricultural Project (WACAP)
- West African Health Organization (WAHO)
- Winrock International
- World Bank
- World Cocoa Foundation (WCF)

**Persons Interviewed and Consulted:
Certification, Monitoring, Verification and Education &
Remediation/Rehabilitation Interventions**

GHANA

Hon. (Mrs.) Akousua FREMA OSERI-OPARE (MP), Deputy Minister MMYE
Mrs. Rita OWUSU-AMANKWAH, NPCLC National Programme Manager
Ms Patience DAPAAH, NPCLC Programme Communication Officer
Ms. Yaa Frempomaa YEBOAH, Chief Technical Advisor, ILO/IPEC

Dr. Clement AHIADEKE, Deputy Director, ISSER
Ms. Martina Mamle ODONKOR, ICI Education Consultant, Frontier Analysis Ltd.
Dr. Leslie Casely-Hayford, ICI consultant, Associates for Change, Ghana
Dr. Samuel ASUMING-BREMPPONG, Dept. Ag. Economics and Agribusiness U. Ghana

Dr. Daniel Bruce SARPONG, Dept. Ag. Economics and Agribusiness U. Ghana
Dr. Osman AL-HASSAN, Institute of African Studies, U. of Ghana
Dr. Stepham Weise, Regional Manager, IITA, Sustainable Crops Program
Dr. James Gockowski, Impact and Policy Analyst, IITA/STCP, Ghana

Mr. Larry Dolan, Education Officer, USAID, Ghana
Dr. Gilbert BUCKLE, Director IHS, Director, Catholic Health Services
Dr. Francois Ruf, Director of CIRAD, Ghana
Dan McLaughlin, Verification Consultant, Ghana

CÔTE D'IVOIRE

Mme.ACQUAH ASSOUAN Amouan, Special Advisor, Office of the Prime Minister
M. Boulo Bi Djehiffe, Désiré, D.G. du Travail, Min. Fonction Publique, Côte d'Ivoire
M. Tapé Doh, Président (Producteur), BCC
M. Tano Kassi Kadio, BCC

M. Guédé Béhinan, D.G. ANADER
Dr. Miaman Koné, Executive Secretary, ANADER
M. Tiémélé Ekou, Technical Advisor to D.G., ANADER
Mme A. Kokola, Juillette, Head, Gender and Development Service, ANADER

M. Guy M'BENGE, CEO, APEX-CI
M. Gérard AMANGOUA, Directeur du Developpement, APEX-CI
M. Robert YAPO Assamoi, Directeur Exécutif National, IITA
M. Jean-Yves Couloud, IITA

Dr. Frank Bremmer, Directeur, GTZ
M. Robalé Kagohi, Coordinateur des Programmes Fondation ICI
M Patrick KASSI, Représentant National, Winrock International
Ms. FANNY Saraho, Project Coordinator, IFESH

Dr. KOUADJO Jean-Marc, Staticien Economiste, ENSEA
Dr. MOSSO Rosine Addy, Statistiques et Démographie, ENSEA
Prof. Alain SISSOKO, Sociologue, University of Cocody

USA AND CANADA

Rosemary Gutierrez, Foreign Relations Legislative Assistant, Senator Harkin's Office
Jeffrey N. MORGAN, Director, Global Programs, Mars, Incorporated
Bill Guyton, President, World Cocoa Foundation
Linda Golodner, President, National Consumers League, USA

Vicki Walker, Director CIRCL Project, Winrock International
Anita Sheth, Senior Analyst Advocacy Policy & Research, Save the Children, Canada
Jolene Smith, Executive Director, Free the Slaves, USA
Bama Athreya, Exceutive Director, IFRF, USA

EUROPE AND AFRICA

Peter McAllister, International Cocoa Foundation, Geneva, Switzerland
Penny Street, Verification Consultant, National Centre for Business & Sustainability, UK
Dr. Stephanie Barrientos, Institute for Development Studies, U.K.
Tony Lass, Chairman, Cocoa Committees, BCCCA
Anne Hatloy, Fafo Institute for Applied International Studies, Norway
Helene Aiello, Khulisa Management Services, South Africa

Appendix 4b: Meeting Participants – Ghana, Côte d'Ivoire and Washington DC Consultative Meetings, July & August 2008

Accra August 19, 2008

No	Name	Organization
1	William Bertrand	Tulane
2	Elke de Buhr	Tulane
3	Chris Bayer	Tulane / WAHO
4	Clement Ahiadeke	ISSER, Legon
5	Comfort Barke Bonney	ISSER, Legon
6	Richard Attibu	ISSER, Legon
7	Isaac Osei-Akoto	ISSER, Legon
8	Paul Stevenson	US Embassy
9	Paul Ntim	COCOBOD
10	Anne Hatloy	Fafo
11	Helene Aiello	Khulisa
12	Afia Appiah	Hedge, Ghana
13	Miriam Oduro-Kwarten	Hedge, Ghana
14	Daniel Bruce Sarpong	University of Ghana, Legon
15	Rita Owusu-Amankwah	MMYE / NPECLC
16	Patience Dapaah	MMYE / NPECLC
17	Eric Okrah	UNICEF
18	Hon. Frema Osei-Opere	MMYE / NPECLC
19	Anthony A. P. Amuzu	Ghana Statistical Service
20	Vincent Frimpong Manu	MMYE / NPECLC

Tulane University Second Annual Consultative Meeting Child Labor in West Africa's Cocoa Sector: Research, Interventions and Policy July 18, 2008		
Name	Email	Organization
Government of Cote d' Ivoire		
H.E. Koffi Y. Charles	malvay2002@yahoo.com	Ambassador of Cote d'Ivoire to the US
Mme Amouan Assouan Acquah	Assouanal2001@yahoo.fr	Special Advisor to the Prime Minister on Commodities
Ms. A. Georgette M'Brha		Government of Cote d'Ivoire
Government of Ghana		
H.E. Dr. Kwame Bawuah-Edusei	admin@ghanaembassy.org	Ambassador of Ghana to the US
Hon Frema Osei-Opore	-	Deputy Minister, Ministry of Manpower, Youth and Employment
Jennifer Lartey	-	Government of Ghana
Johnson Adasi	-	Government of Ghana
Rita Owusu-Amankwah		Government of Ghana
Dr. Philip Amoo		Ghana Medical School
Isaac Osei		Ghana Cocoa Board
Ebenezer Quartey		Ghana Cocoa Board
Dr. Adu Ampomah		Ghana Cocoa Board
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Matthew P. Levin	levin.matthew@dol.gov	DOL
Ron Herbison	herbison.ronald@dol.gov	DOL
Kevin Willcutts	willcutts.kevin@dol.gov	DOL
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Charita Castro	castro.charita@dol.gov	DOL
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Patrick White	white.patrick@dol.gov	DOL
Sherry Smith	smith.sherry@dol.gov	DOL
Sarah Morgan	morgan.sarah@dol.gov	DOL

U.S. Department of State	-	
Tu Dang	dangtx@state.gov	DRL- State
Laurie Weeks	-	DRL- State
Ambassador Steven Steiner	SteinerSE@state.gov	G/TIP - State
Zachery Townsend	-	G/TIP - State
Veronica Zeitlin	ZeitlinVK@state.gov	G/TIP - State
Steve Rhee	RheeSB@state.gov	State
Emily Plum	plumbea@state.gov	Burea of African Affairs - State
Members of Congress	-	
Rosemary Gutierrez	rosemary_gutierrez@harkin.senate.gov	Senator Harkin's Office
Thomas Heckroth	-	Senator Harkin's Office
Jaime Simon	-	Senator Harkin's Office
Mark Laisch	Mark_Laisch@appro.senate.gov	Senate Appropriations Staff
Industry Representatives	-	
Jeffrey N. Morgan	jeff.morgan@effem.com	MARS
Jonathan Atwood	jonathan@atwoodcomms.com	Common Way Communication
Louise Hilsen	louise.hilsen@us.nestle.com	Nestle USA
Melanie Rose Boyce	melane.rose.boyce@candyusa.com	National Confectioners Association
Elizabeth Fay	elizabeth_fay@cargill.com	Cargill
NGO Representatives	-	
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Meg Roggensack	roggensack@freetheslaves.net	Free the Slaves
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Jason Befus	jbefus@winrock.org	Winrock International
Laetitia Dumas	dumasl@cocoainitiative.org	International Cocoa Initiative
Thea Lee	tlee@afcio.org	AFL-CIO
Brian Campbell	brian.campbell@ilrf.org	International Labor Rights Fund

Appendix 4c: Meeting Participants – Ghana and Cote d’Ivoire Consultative Meetings, July 2008

Ghana			Côte d’Ivoire		
No	Name	Organization	No	Name	Organization
1	Benzet Yoa Vivor	Independent Observer	1	Zouma Salifou	OOAS
2	J.K Anar Fi	ISSER	2	Gobo Serge Gbappa	Consultant
3	Comfort B. Bonnes	ISSER	3	Aka Fobah Francois	ONG FEMAD
4	Hayford M. Ayerakwa	ISSER	4	Aka Christian Bodia Fiacre	ROLEP
5	M.Y Mensah	ISSER	5	Koffi Animan Paul O.	Comite LTTE Aboisso
6	Paul Ntim	Cocobod	6	Kassi Patrice	Winrock International
7	Agnes Kpei-Frimpong	Cocobod	7	Jean Kouassi Djoman	CARITAS CI
8	Steve Amale	Random House	8	Kouakou Kouadia	MESAD
9	Oyoe Quartey	Random House	9	Seka Theodore	ONG RENFCAP
10	Dr. Clement	ISSER	10	Sorho-Siwe Koulo	OOAS
11	Tony Dogbe	PDA	11	Zitkoum Assetou	ENSEA
12	Serge Gbappa	Independent Consultant	12	Etien Luc Koua	Tulane
13	Ane Maria-Goretti	ISSER	13	Lorougnon Felix	Tulane
14	Elizabeth Abbey	Accra Academy	14	Tanya Rasa	USDOL
15	Abdul Razak Toppoh	Accra Academy	15	Tape Doudou Lucien	Tulane
16	Adjei Anthony	Accra Academy	16	Yapi Abbe Paul	ONG RENFCAP
17	Diantha Garms	USDOL	17	Kouamé Natim Michel	DEI CI
18	Robert K. Poku Kyei	Ministry of Finance	18	N'djore Youssouf	SSTE CI
19	Kaba Paschal	GAWU of GTOC	19	Djehi Rolf	Université de Cocody
20	Andrews Tagoe	GAWU of TUC	20	Amangoua Gerard	APEX CI
21	Silvia Hinson-Ekong	FURDEV/ICI	21	Olumade Badejo	OOAS
22	Isaac Osei Akoti	ISSER	22	Lorou Bi Gohore J. Maxine	ANADER (UCSE)
23	E. Kwame Mensah	ILO- Ghana	23	Bazile Eboule	BSR INTERPOL
24	Palmec Asare-Nelson	ILO- Ghana	24	Dji Keladoue Florent	IITA-STCP
25	Charles B. Ntim	Cocobod	25	Djouka Angeline	ONG FAWE CI
26	Martina Odonkor	Independent Consultant	26	Robale Kagohi	ICI
27	Paul Stevenson	US Embassy	27	N'zi Kanga Reni	Ministre Interieur
28	Jeanetta Johnson	WAHO	28	Kosa René	MINAGRI / CFC-LTTE

29	Larry Casey	USDOL		29	Sigui Nokie Hyacinthe	Ministre FPE
30	Kenneth M. Brew	Cocobod		30	N'cho Serge Pacome	SSTE CI
31	Rita O. Amankwah	MMYE/NPECLC		31	M'Bengue Guy	APEX CI / DG
32	Joana Annan	MMYE/EIB		32	Oteme Ziriga Josue	Primature
33	Hon. Frema Osei Opare	MMYE Deputy Minister		33	Aquah Assouan Amovan	Primature - Certification
34	Daniel B. Surpong	UG - Legon		34	Larry Casey	USDOL
35	Phillip K. Amoo	UGMS - Korlebu		35	Tanya Salseth	Ambassade des Etats-Unis
36	S. Asuming-Brempong	University of Ghana		36	Diantha Garms	USDOL
				37	Niava Landry	ENSEA
				38	Kouadjo Jean Marc	ENSEA
				39	Kouakou N'goran Jean A.	ENSEA
				40	Kone Siaka	ENSEA
				41	Traore Daouda	Interprète
				42	Boua Bi Sémien Honore	BIT / IPEC-LUTRENA
				43	Prof. Adjoua Rith Pascal	Université de Cocody / Cabinet ETA
				44	Koffi N'Guessan	ENSEA

Appendix 5a: ICVB FAQ



International Cocoa Verification Board

ICVB Secretariat Verité

Frequently Asked Questions (FAQs)

What is the ICVB?

The International Cocoa Verification Board (ICVB) is a non-profit, multi-stakeholder organization that was convened by Verité in December, 2007, to ensure that certification efforts to evaluate the occurrence of child or forced adult labor in cocoa producing areas in Côte d'Ivoire and Ghana are independently verified. Verifying the soundness of the data collection methodologies and the accuracy of survey the findings helps to ensure that remediation efforts are more strategically focused on the areas and issues that are in greatest need of remediation. Reliable data informs meaningful, enduring change for cocoa producing communities in Côte d'Ivoire and Ghana. All stakeholders, from governments to civil society actors, will be able to use the results of this verification effort to strengthen their work going forward.

ICVB Vision statement

Verification is an essential step in assessing labor conditions in cocoa-growing communities in West Africa. The ICVB holds the strong conviction that accurate data will help guide strategic planning and programming to effectively address potential areas of concern, including child and forced adult labor. Properly verified data will ensure that future remediation activities are more strategic, cost-effective, targeted and synergistic. Our true stakeholders are the cocoa farmers and children and we measure our success or failure by how well their lives improve, in part, due to our work. Accurate data matters.

What is verification?

Verification is a key process through which previously collected data is independently validated. The verification exercise covers both the methodology and processes used to collect, enter and analyze data, and the results generated through initial surveys conducted by the Governments of Ghana and Cote D'Ivoire. The latter will be undertaken through a representative sample study on the ground of child and forced adult labor in both countries. Through representative sampling, studies of the survey methodology, and extensive data analysis, the independent verifiers will determine the accuracy of the reported data and will make recommendations to strengthen the process going forward. The verifiers are currently in the process of verifying both the pilot and scaled up surveys that



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cover the region that produces approximately 50% of the cocoa in both producer countries.

Will the raw data be made public?

The ICVB has no control over access to the raw data. The data collected by the governments of Côte d'Ivoire and Ghana is the sole property of each sovereign nation. The raw data was transferred to the verifiers in May, 2008.

The public will have full access to the verifiers' findings. Verification is by its very nature the mechanism that was put into place to inform the public about the strengths and weaknesses of the surveys. Raw data alone, without interviewing the enumerators, having a first-hand understanding of the local context or conducting one's own sub-sample survey (all of which the verifiers will be doing), is insufficient for fully determining the true picture that the raw data presents.

How were the verifiers selected?

The ICVB selected the verifiers through a competitive application process. The ICVB published a Pre-Solicitation Notice and Request for Proposals and applications were reviewed and scored by the Board's technical committee based on the applicant's demonstrated grasp of child-centered methodologies, understanding of the cultural conditions in both Côte d'Ivoire and Ghana and capacity to carry out both field research and data analysis, among other qualifications.

Shortlisted candidates were then invited to present at the ICVB meeting on April 3-5, 2008. The ICVB selected two organizations, [Fafo Institute for Applied International Studies](#) and [Khulisa Management Services](#), to carry out the verification activities. After a rigorous examination of the candidates' technical and cultural knowledge, the Board chose Fafo AIS as the project leader and Khulisa as the partner organization to carry out the field research. During this process the ICVB took into consideration the recommendations made by the attendees of both December, 2007, and [March 31, 2008 NGO-Industry Consultative Meeting](#). The selection process is detailed in the Press Release "International Cocoa Verification Board Announces Organizations to Carry Out Independent Verification of Cocoa Sector Certification".

The ICVB believes that the complementary strengths of these two organizations will provide the most effective combination of excellence in data analysis and understanding of the local context in the producer countries, thereby ensuring a robust verification process.



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How does the verification process function?

The verifiers have the technical, local and cultural capacities to conduct a rigorous verification process, which consists of:

- An assessment of the certification studies will be carried out in the two countries. This activity will include an assessment of the research objectives and outcomes, interviews with enumerators, examination of suitability of research techniques, conducting a data quality assessment (DQA) and assessment of the data analysis and output quality (results).
- A representative sample survey will be carried out in the two countries. This will include sampling design, instrument development, pilot testing, training, data collection and analysis and report writing.

Based on these two approaches, a verification report will be developed, with a particular emphasis on ways to improve future certification surveys and the remediation efforts (both in the public and private sectors) that they inform.

What is the relationship between verification and certification?

The ICVB's primary mandate is to verify the accuracy of the certification surveys conducted by the Governments of Côte d'Ivoire and Ghana initiated under the Harkin-Engel Protocol. In this context, certification is not a product certification (such as organic or fair trade certifications) but rather it is an assessment of the current labor conditions in both countries. Verification has the dual role of monitoring the certification studies as they have been carried out in the past and recommendations for strengthening future certification and remediation efforts.

How will the verifier reports be released?

The selected organizations will conduct an independent verification of the data and methodology utilized in the surveys conducted by the Governments of Ghana and Côte d'Ivoire. After the verification process is concluded, the organizations will present their findings in an uncensored report to the public and make recommendations based on their findings to strengthen future remediation efforts. The verifiers will distribute their report electronically via email to all interested stakeholders. The report will also be simultaneously posted by Verité on the ICVB website (www.cocoaverification.net). Anyone interested in being on the ICVB mailing list should contact Alexa Roscoe at aroscoe@verite.org.



International Cocoa Verification Board

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How does the Board make decisions?

The Board makes decisions on the basis of consensus to ensure that all views are adequately represented and that no one individual or constituency group (NGO, government or industry) on the board has the power to override other viewpoints or dominate the process.

How does the ICVB ensure that its processes are transparent?

The ICVB is committed to ensuring that its processes and decision making are fully transparent and credible. The initial term length for each board member was established at 3 years, with the agreement to devise a rotating membership. Each constituency group on the board replaces its own members when terms are up.

The ICVB committee structure, meeting minutes, and financial documents are available to the public and may be accessed at www.cocoaverification.net or by contacting Alexa Roscoe at aroscoe@verite.org.

What about potential conflicts of interest for NGO members who sit on the Board?

All NGO caucus board members have signed statements affirming that neither their professional nor personal affiliations/relationships places them in a position of conflict of interest vis-à-vis the work of the board. No NGO board member relies predominantly on the cocoa sector for his or her income. However, Board members are required to disclose any changes to their future income and resign from the ICVB if need be. The Board's conflict of interest policy was based on guidelines used by Transparency International. Additional guidelines outlining the conditions under which a board member must resign are being prepared and will soon be available on the ICVB website.

Who serves on the ICVB?

The ICVB is made up of nine individuals from Africa, Europe, and the United States who representing the nongovernmental (NGO), industry, and government sectors. [Biographies](#) of the ICVB members are available on the [ICVB website](#). Of the nine seats on the board, the NGO caucus is the largest with five seats. NGO caucus members include representatives of traditional nongovernmental organizations (both international and African) as well as representatives of academia and trade unions. The diversity of sectors, nationalities, and areas of expertise represented on the ICVB reflect the cocoa sector itself and allow the ICVB to make decisions based on the unique areas of expertise and divergent viewpoints of all three sectors.



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Isabelle Adam	European Cocoa Association
Mme. Acquah	Government of Côte d'Ivoire
Stephan Ayidiya	University of Ghana-Legon
Tony Fofie	Government of Ghana
Alice Koiho-Kipre	Afrique Secours et Assistance
Jeff Morgan	Mars Incorporated
Diane Mull	International Initiative to End Child Labor
Andrews Tagoe	General Agricultural Workers Union of TUC
John Trew	CARE International

Who do the ICVB members represent?

With the exception of the representatives of Côte d'Ivoire and Ghana, the members of the ICVB represent their wider constituencies, i.e. the NGO and industry community as a whole, rather than their own institutions.

ICVB members welcome feedback from any interested party and can be reached at secretariat@cocoaverification.net. This site will soon have an interactive Third Party Feedback Mechanism that will allow the global stakeholder community to share comments and suggestions with the Board. The Board welcomes input and feels that this is key element in ensuring that the verification process is transparent, effective and inclusive of varying viewpoints.

How were the initial ICVB Members chosen?

The original NGO representatives were selected by Verité following an open nominating process, a series of interviews with dozens of cocoa sector representatives and with the input of those present at the [December 2007 NGO-Industry Consultative Meeting](#). Producer country representatives are appointed by their respective governments and industry representatives were selected by their respective sector. Future NGO representatives on the board will be selected by the current members of the NGO caucus.

Why are industry and government representatives on the board?

The involvement of NGOs, industry and government in a multi-stakeholder initiative such as the ICVB is virtually without precedent. While there was some concern expressed originally that industry and government representatives had inherent conflicts of interest that would preclude them from fairly serving on the board, Verité's view was that the composition of the board, and the transparency with which it operates, provided sufficient checks and balances to preclude industry or governments from unduly influencing the work of the verifiers.



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It was also Verité's view that the magnitude of this certification effort (scaling up to 100% in the future), and the economic importance of cocoa to both countries, required the full engagement of all stakeholders, and especially industry and governments, in the process. Government representation, in particular, on the board conferred sufficient legitimacy to the verification process to ensure that all levels of government (Ministries of Education, Finance, Labor, etc., as well as the Executive Branch) would participate fully in implementing the recommendations of the verifiers.

How is the ICVB funded?

As part of the [Harkin-Engel Protocol](#), industry agreed to fund the verification effort in full for its first year (2008) and alternative sources of funding are being explored. The total industry contribution to the verification effort in 2008 is \$2 million. The ICVB welcomes suggestions regarding other funding models.

How can the ICVB be independent if it is funded by industry?

Independence is achieved through the very structure of the ICVB. Industry members have only two of nine seats on the ICVB, which allows the Board to function with full autonomy and free of undue influence by industry. Further, the verifiers receive guidance only from the full ICVB, not individual board members from industry and/or government. Likewise, the verifiers' scope of work was determined by the full Board. Verifiers' findings and reports are completely independent and cannot be altered, influenced or in any way censored by the ICVB or any individual board member. All meeting minutes are posted on the www.cocoaverification.net and this level of transparency allows concerned stakeholders to review the minutes and determine for themselves if industry is unduly influencing the process.

What is Verité's role as secretariat to the ICVB?

As secretariat, [Verité](#), an international not-for-profit social auditing, training, consulting and research organization, is charged with administering and facilitating the activities of the ICVB. Verité was originally selected by industry in June, 2007, to design the road map that would lead to credible, independent and transparent verification. The creation of the ICVB is the central outcome of the road map's implementation. Verité is not involved in the decision-making process of the ICVB, nor does it have a seat on the board.



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Where can I find more information about the ICVB?

For more information on the ICVB, or for documents related to the verification process, please visit the ICVB beta-site, www.cocoaverification.net.

You may also read more on the NGO-Industry Consultative Meetings, "[A New Way Forward for Verification](#)" and "[Why Verify? Making Cocoa Verification Count.](#)"

How can I offer my input the ICVB?

The ICVB welcomes your input! Pending the finalization of the feedback tool on our site, please contact Alexa Roscoe at aroscoe@verite.org if you have questions or feedback for the ICVB, or if you wish to join the ICVB mailing list.

Appendix 5b: ICVB Announcement of Verifier Organizations



International Cocoa Verification Board

June 5, 2008

Contact:

Alexa Roscoe

ICVB Secretariat

44 Belchertown Rd.

Amherst, MA 01002

+(413) 253- 9227

www.cocoaverification.net

International Cocoa Verification Board Announces Organizations to Carry Out Independent Verification of Cocoa Sector Certification

The International Cocoa Verification Board (ICVB) announces the formal selection of **Fafo AIS** and **Khulisa Management Services** as the agencies charged with carrying out the verification of certification surveys in Cote d'Ivoire and Ghana. These two agencies will collaborate with in-country organizations Research International (Côte d'Ivoire) and HEDGE (Ghana) to conduct an independent verification process and to make recommendations for strengthening future certification surveys and remediation activities. This verification is a crucial element of fulfilling the Harkin-Engel Protocol and informing policy decisions on the worst forms of child labor and forced adult labor in the cocoa sectors of Cote d'Ivoire and Ghana.

The partners, who were selected by the ICVB after a competitive application process, offer a unique multi-national team, involving experts from Europe, Africa and the United States.

Fafo Institute for Applied International Studies (Fafo AIS) is a Norwegian-based nonprofit with a longstanding reputation for expertise in data collection and analysis, particularly for populations that are often elusive, such as child laborers. Areas of experience in Africa include West and Central Africa, Child Labor and Vulnerability, and Trafficking and Migration. Fafo AIS has worked with UNICEF, UNDP, World Bank, and ILO, among others, to produce "research that matters".

Khulisa Management Services (Khulisa), is a South African-based firm with 14 years experience in monitoring, evaluation, research and data quality auditing in the fields of child labor, education and public health across numerous African countries. Khulisa's clients include the US Department of Labor (USDOL), US Agency for International Development (USAID), UNICEF, the US State Department, Global Fund, the European Union and others. Khulisa's team of ISO 9001-certified auditors will participate in the assessment activities. In-country organizations Research International (Côte d'Ivoire) and HEDGE (Ghana) will also play a key role in engaging with cocoa producing communities during the representative sample stage of the verification.



International Cocoa Verification Board

Together these organizations have the technical, local and cultural capacities to conduct a rigorous verification process, which they will accomplish in two main stages:

- First, an assessment of the certification data collection activities will be carried out in the two countries. This activity will include an assessment of the research objectives and outcomes, the examination of suitability of research techniques, conducting a data quality assessment (DQA) and an assessment of the data analysis and output quality (results).
- Then a representative sample survey will be carried out in the two countries. This will include the creation of a representative sampling design, instrument (questionnaire) development, pilot testing, training, data collection and analysis and report writing.

Based on this approach, an overall synthesis and verification report will be presented, with a particular emphasis on ways to improve future certification surveys and the remediation efforts (both in the public and private sectors) that they inform. Their distinct partnership also allows for an internal peer review process of the data analysis and a final report that fully synthesizes the contributions and observations of the various agencies.

The ICVB made contractual arrangements with the verifiers that allowed them to begin the verification activities in April, prior to the actual signing of contract in May. The Governments of Ghana and Côte d'Ivoire have acted quickly in granting the verifiers the required permissions and the first phase of in-country work is already underway.

For more information regarding the ICVB, please visit www.cocoaverification.net. This site will soon feature an interactive tool that will allow stakeholders worldwide to offer feedback directly to the ICVB.

About the ICVB

The International Cocoa Verification Board (ICVB) was convened in December, 2007. This multi-stakeholder body includes nine representatives from NGOs, academia, trade unions and industry. The nine Board members are: Anthony Fofie, Ghana Cocoa Board; Amouan Assouan Acquah, Special Counselor to the Prime Minister (Côte d'Ivoire); Stephen Ayidiya, University of Ghana-Legon; Andrews Addoquaye Tagoe, General Agricultural Workers Union (Ghana); Alice Koiho Kipre, Afrique Secours et Assistance (Côte d'Ivoire); Diane Mull, International Initiative on Exploitive Child Labor (USA); John Trew, CARE International (USA); Jeff Morgan, Mars, Inc. (USA); and Isabelle Adam, European Cocoa Association (Belgium).

www.cocoaverification.net

Appendix 5c: ICVB RFP for Verifier Organizations

International Cocoa Verification Board

Request for Proposal (RFP)

Agency: International Cocoa Verification Board (ICVB)

Funding Opportunity Title: Verification of Certification Activities in West African Cocoa Sector

Geographic Target Countries: Côte d'Ivoire and Ghana

Announcement Type: Cost-Reimbursement Contract

Funding Opportunity Number: 2008-001

Date of Announcement: February 18, 2008

Deadline for Applications: March 17, 2008, 11:59pm Eastern Time/USA

Point of Contact: Miriam Swaffer, International Cocoa Verification Board Secretariat, MSwaffer@verite.org, 001-413-253-9227 Tel, 001-413-256-8960 fax.

EXECUTIVE SUMMARY

The International Cocoa Verification Board (ICVB) is responsible to affirm through an independent “third party” verification process: 1) the credibility of the studies and findings reported by the governments of Côte d'Ivoire and Ghana on the worst forms of child labor (WFCL), including trafficking, and adult labor practices (ALP) in the cocoa sector; and 2) remediation activities undertaken by governments and their partners to address the elimination of the WFCL and adult forced labor from the cocoa sector. The ICVB will award one or more Cost-Reimbursement Contract Agreements to an organization or organizations to verify the credibility of the studies and findings reported by the government of Côte d'Ivoire and Ghana on WFCL, including trafficking, and ALP. Applications must respond to all sections as outlined within this solicitation.

CONTACT INFORMATION

Address questions relating to this RFP to: Miriam Swaffer, International Cocoa Verification Board Secretariat, MSwaffer@verite.org email; 001-413-256-8960 fax. All inquires should be placed in writing. Please ensure that the name of the agency/company, a point of contact, viable e-mail address, and telephone number are clearly indicated on your submission. Responses to questions will be posted to the following website: www.cocoaverification.net.

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I. BACKGROUND

The first media and other reports of children being trafficked and forcibly used to work under exploitive conditions in West African cocoa farms began to emerge in 2000. While there were mixed views on the level and scope of the problem, in 2001, multiple stakeholders, including Members of Congress, the cocoa industry, affected African governments, non-governmental organizations, consumer groups, U.S. government agencies, and the International Labour Organization (ILO), negotiated an all-inclusive, six-point problem-solving protocol aimed at ending the use of abusive child labor in cocoa growing by July 1, 2005. The protocol, entitled *Protocol for the Growing and Processing of Cocoa Beans and their Derivative Products in a Manner that Complies with ILO Convention 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst forms of Child Labor*, is more commonly referred to as the Harkin-Engel Protocol after U.S. Senator Tom Harkin and U.S. Representative Eliot Engel. Signatories to the protocol committed to the development of a certification process that would ensure that no abusive child labor would be used in cocoa production. By the July 1, 2005 deadline, the first five steps of the protocol had been completed. The sixth point, related to the certification process, was still in a pilot phase.

On July 1, 2005, an extension of the Protocol was agreed to and a joint statement released by Senator Harkin, Representative Engel, and the cocoa industry, committed to expanding the pilot certification system to cover 50 percent of the cocoa growing areas of Cote d'Ivoire and Ghana by July 1, 2008. There are several documents that serve to clarify the scope of the certification effort now requiring verification. In the 2005 *Joint Statement from U.S. Senator Tom Harkin, Representative Eliot Engel, and the Chocolate/Cocoa Industry on Efforts to Address the Worst Forms of Child Labor in Cocoa Growing*, Senator Harkin and Representative Engel acknowledge that the, "Protocol stands as a framework for progress" (pg. 1), and that specific actions on the part of industry will include:

- "Rollout of the certification system -- including monitoring, data analysis, reporting, and activities to address the worst forms of child labor -- as aggressively as possible in Cote d'Ivoire and Ghana, with a goal of covering 50 percent of the two countries' cocoa-producing areas by July 2008." (pg. 2)

(The verification effort, for which we are seeking proposals, is central to achieving this goal).

- "Support for programs to improve conditions in West African cocoa farming communities, and to address the worst forms of child labor and forced labor at the community level." (pg. 2)

(This parallel goal is being achieved through other industry efforts, such as the International Cocoa Initiative, the World Cocoa Foundation, and multiple company-specific remediation projects; is not initially part of the verification effort at this time; and should not be considered or addressed as part of requested verification activities in this solicitation.)

The creation of the multi-stakeholder International Cocoa Verification Board (ICVB), and the verifier consultant(s) that it selects, are central to achieving these goals by the July 2008 deadline. However, it should be noted that the “certification system” to be established will consist of the activities outlined in the Joint Statement, namely the “monitoring, data analysis, reporting, and activities to address the worst forms of child labor,” and is not a certification label attesting to specific product attributes.

Since the Protocol signing in 2001 and the Joint Statement in July 2005, there have been numerous meetings and conferences in which progress towards the protocol objectives has been discussed. Potential verifiers are not required to have familiarity with, or direct knowledge of, these activities in order to successfully verify the robustness of the certification effort. We recommend that all interested parties refer to the core documents (see www.cocoaverification.net, which includes the original 2001 Harkin – Engel Protocol and the 2005 extension) for guidance as they provide the architecture for the entire certification effort.

The cornerstone of successful Protocol implementation, and future improvements in conditions in West Africa, is the rigor and transparency of the verification process and the credibility and quality of those selected to do the verification. While this is true for any process, it is especially true in this instance because of the unusual arrangement that conferred the task of surveying farms to the governments themselves. While government involvement may be unusual when compared with other survey efforts, there is no better partner for ensuring sustainable improvements on such a broad scale in the lives of cocoa farmers and their children in their respective home countries.

As the Protocol itself acknowledges when it quotes the International Labor Organization’s Convention 182 concerning the Prohibition and Immediate Action for Elimination of the Worst Forms of Child Labor, “child labor is to a great extent caused by poverty and that the long term solution lies in sustained economic growth leading to social progress, in particular poverty alleviation and universal education.” The sector-wide Government-backed Surveys are an integral part of finding national solutions to these twin drivers of the WFCL: poverty and lack of education.

About the International Cocoa Verification Board (ICVB)

The International Cocoa Verification Board was formed as an unincorporated organization by Verité in December 2007.¹ This multi-stakeholder body includes nine representatives from NGOs, academia, trade unions, and industry. The nine Board Members include: Alice Koiho Kipre, Afrique Secours et Assistance (Cote d’Ivoire); Amouan Assouan Acquah, Special Counselor to the Prime Minister, Côte d’Ivoire; Andrews Addoquaye Tagoe, General Agricultural Workers’ Union (Ghana); Anthony Fofie, Ghana Cocoa Board; Diane Mull, International Initiative on Exploitive Child Labor/Child Labor Coalition; Isabelle Adam, European Cocoa Association; Jeff Morgan, Mars, Inc.; John Trew, CARE International; and Stephen Ayidiya, University of Ghana – Legon.

The mission of the ICVB is to affirm through an independent “third party” verification process:

¹ Plans are pending to formalize the ICVB’s legal status as an organization separate from Verité.

- The credibility of the studies and findings reported by the governments of Côte d'Ivoire and Ghana on the worst forms of child labor, including trafficking, and adult labor practices in the cocoa sector; and
- Remediation activities undertaken by governments and their partners to address the elimination of the WFCL and adult forced labor from the cocoa sector.

About ICVB Secretariat Verité

At the first ICVB board meeting, held in January 2008, the ICVB agreed to have Verité serve as the Secretariat for the ICVB. The Secretariat does not sit on the ICVB and does not possess decision-making authority, but serves to carry out the administrative and management functions for the board and provides technical support where appropriate.

Verité is a US-based nonprofit and award-winning pioneer in social auditing, training, and research. The organization has over a decade of experience working with governments, Fortune 500 corporations (and their local suppliers) through its global network of NGO partners. Verité works in over 60 countries to empower companies, factories, NGOs, governments, and workers to create sustainable workplace practices in factories and on farms. For more information on Verité, go to <http://www.verite.org>.

Objectives

As part of its functions, the International Cocoa Verification Board (ICVB) is to recruit consultative third party organization(s) to carry out the verification exercise in the two countries and to report their findings. The work of the ICVB and the results of the work contracted under this RFP are specifically targeted to implementing a process that will certify that, within a country's cocoa sector, efforts are in place to:

1. measure and report on the worst forms of child labor and adult forced labor practices; and
2. help those who may be in a child labor or forced labor situation.

Priorities

The ICVB seeks to establish a quality, evidence-based verification process, including a timeline of activities, which is of the highest ethical standards in the field of social research. The findings from the verification process will be used to strengthen certification efforts and, in the future, will be used to strengthen remediation activities. The ICVB expects the verification of findings to be conducted in a manner that is transparent and sustainable. Additionally, the ICVB respects the willingness of the governments of Côte d'Ivoire and Ghana to actively participate and work with the ICVB throughout the verification process. The ICVB expects that throughout this process, the governments will be afforded the utmost respect and activities will be conducted in such a manner that is constructive and works toward building capacity while serving the best interest of children and laborers in the cocoa sector. Governments, in turn, will provide verifiers with ready access to the survey results, data, questionnaires, and the like, that they need in order

to conduct the verification. Priority will be given to those applicants who most effectively demonstrate their capability to meet these priorities.

Additional background information on the ICVB, Harkin-Engel Protocol, Joint Statement, and copies of the Côte d'Ivoire and Ghana studies are provided for your review and can soon be found via the ICVB website at www.cocoaverification.net. (This site is still under construction and potential applicants are encouraged to write to Alexa Roscoe at ARoscoe@verite.org requesting additional information or reference documents in the interim.)

II. AWARD INFORMATION

Type of Award Instrument: Cost-reimbursement contract

Initial Award Period: The ICVB anticipates the initial period of performance to consist of a base period (not to exceed six months) from April to September 2008. The start date of activities will be negotiated upon awarding of the Contract Agreement.

Award Amount: No specified contract award amount has been set. The budget will be evaluated on the basis of its reasonableness with respect to activities proposed during the initial award period and in comparison with costs for conducting similar activities in the targeted geographic areas. Pre-award costs are not reimbursable.

Optional Award Periods: At the discretion of the ICVB and based on the quality of the performance of the contractor during the initial award period, the contractor may be eligible for up to two additional verification assignments without competition. Subsequent assignments under the contract may extend beyond a six-month period.

Release and Waiver of Liability: In consideration for the administrative and operational fees paid to any contractor, the contractor must agree to assume all risks and to release in advance and hold harmless and discharge the International Cocoa Verification Board, its members, and representative groups, as well as the Secretariat (Verité) from any liability and to waive all rights with respect to any and all claims for damages for death, personal injury, or property damage, including but not limited to medical bills, lost wages, pain and suffering, attorney fees, and court costs, which the contractor(s) may have, or which may accrue to any person involved in the administrative or operational aspects of the contractor(s) as a result of their performance of their services pursuant to the applicable Contract Agreement, even though this liability may arise through no fault of the verifiers or the person in question, or from the negligence or carelessness on the part of the person or entities being released.

Note to Applicants: Selection of an organization as a potential Contract Agreement recipient does not constitute approval of the Contract Agreement application as submitted. Before the actual Contract Agreement is awarded, the ICVB may enter into negotiations about such items as program components, implementation plans, funding level, and administrative systems in place to support the Contract Agreement implementation. If the negotiations do not result in an acceptable submission, the ICVB reserves the right to terminate the negotiations and decline to fund the application. In addition, the ICVB reserves the right to further negotiate program

components after award. Neither the ICVB nor Verité will have any responsibility to any submitting organization prior to the signing of a definitive Contract Agreement.

III. ELIGIBILITY REQUIREMENTS

Eligible Applicants

Any international, educational, not-for-profit, or commercial organization(s); universities and/or other research institutions; private development and research agencies; or community-based or public international organization(s) capable of successfully developing and implementing verification activities as described herein in the respective countries of Côte d'Ivoire and/or Ghana is eligible to apply. Applications from government or quasi-government agencies will not be considered. An applicant must demonstrate a country presence, independently or through a relationship with another organization(s) with country presence.

No organization or individuals with previous involvement with the certification studies conducted by the respective governments is eligible to apply or work under this contract award. Any potential for conflict of interest must be presented and is subject to disqualification from the competitive process. Failure to disclose a conflict of interest that is later determined to exist will result in permanent exclusion from any future awards from the ICVB and possible termination of any then existing Contract Agreement.

If two or more applicants, who do not constitute a single legal entity (hereinafter referred to as "Associations"), join in applying for the award, each member of the Association (hereinafter referred to as an "Associate") must be individually eligible for award. All references to "the Applicant" refer to Associations, as well as individual applicants. All Associates must sign, and agree to be bound jointly and severally by, the awarded Contract Agreement, and all must designate one Associate as the "Lead." Any such Association must submit to the ICVB, as an attachment to the application, an Association agreement, reflecting an appropriate joint venture, partnership, or other contractual agreement and outlining the deliverables, activities, and corresponding timeline for which each Associate will be responsible. Copies of such agreements will not count toward the page limit.

If any entity identified in the application as an Associate does not sign the Contract Agreement, the Lead must provide, within 30 days of award, either a written subcontract agreement with such entity, acceptable to the ICVB in its sole discretion, or an explanation as to why that entity will not be participating in the Contract Agreement. The ICVB reserves the right to re-evaluate the award of the Contract Agreement in light of any such change in an entity's status, and may terminate the award if the ICVB deems appropriate.

For the purposes of this proposal and the Contract Agreement award, the Lead will be: 1) the primary point of contact with the ICVB and/or the ICVB Secretariat Verité to receive and respond to all inquiries, communications, and orders during the contracted activity period; 2) the only entity with authority to receive payment directly from the ICVB and/or the ICVB Secretariat Verité; 3) responsible for submitting to the ICVB all deliverables, including all technical and financial reports related to the award, regardless of which Associate performed the

work; 4) the sole entity to request or agree to a revision or amendment of the award or related documents; and 5) responsible for working with the ICVB and/or the ICVB Secretariat Verité to close out the award activity or its extension. Each Associate is ultimately responsible to the ICVB for overall performance under the applicable Contract Agreement, regardless of any assignment of specific tasks, but Associates may agree, among themselves only, to apportion the liability for such performance. Each Associate must comply with all applicable standards and regulations that govern their activities, and is individually subject to audit.

Cost Sharing or Matching Funds

Applicants are not required to share costs or provide matching funds. Applicants are restricted from using funding from other donors or private contributions to cost support this activity.

IV. APPLICATION AND SUBMISSION INFORMATION

Application Content: Applicants must follow the solicitation instructions, fulfill the conditions and requirements contained herein, and supply all information requested. Making false statements within the application to the ICVB will disqualify the applicant from consideration. The application will meet the following requirements:

- Title page should include the following information:
 - Lead Organization Name
 - Name of Associates and/or Other Local Partners
 - Contact Information
 - Funds Requested
 - Proposed Period of Performance.
- Two-page abstract summarizing the applicant profile information, organizational capabilities, experience, proposed approach/methodology, deliverables, timeline, and funds requested;
- A table of contents listing the application sections and page numbers;
- A project narrative that includes:
 - Understanding of the Issues Surrounding This Verification Activity;
 - Project Implementation Plan, that includes:
 - A logical framework matrix
 - A work plan that is tied to the logical framework matrix, identifying major project activities, deadlines for completing the activities, and person(s) or institutions(s) responsible for completing activities;
 - Organizational Capability / Experience;
 - Staff Qualifications; and
 - Budget Narrative and Budget Forms.
- Proposals must be submitted in English in an MS Word document;
- Budget figures must be expressed in U.S. dollars;
- Project narratives may not exceed 50 single-sided (8.5” x 11”), double-spaced pages, using a 10-12 point Times New Roman font with 1-inch margins;
- The appendix has a specific page limit that must be adhered to; and
- Each application must include the required sections listed below.

Title page, abstract, table of contents, logical framework matrix and work plan are not included in the project narrative 50-page and 1-inch margin limits.

Application Submission Dates, Times, and Email Address: Proposals must be submitted electronically and received by the ICVB Secretariat, Verité, on or before March 17, 2008, 11:59 p.m. eastern time/ USA. The ICVB will rely on the date and time stamp that is placed on incoming e-mails as registered via the Internet. Due to size of documents, applicants may want to consider placing all application-related documents into one or two zipped files before attaching and transmitting the e-mail to Verité. Please submit e-mail with attachments (i.e., application, appendices, and any other application-related documents), to: Miriam Swaffer, International Cocoa Verification Board Secretariat, MSwaffer@verite.org.

Section 1 - Required Standard Forms

For consistency among applicants, each application must include the forms provided for use with this RFP. The forms, and instructions for completion, can be found on-line at the ICVB website: www.cocoaverification.net or by writing and requesting forms from Alexa Roscoe at Verité at ARoscoe@verite.org.

Section 2 - Abstract:

The abstract is limited to two (2) pages. It should provide a summary of the applicant's capabilities, experience, approach to conducting verification activities, timeline of deliverables, and expected cost. No confidential information should be included.

Section 3 – Understanding of the Issues Surrounding Verification of Cocoa in Côte d'Ivoire and/or Ghana:

Applicants will be rated based on their recognition and understanding of issues and challenges related to achieving the verification objectives, devising a strategy that anticipates these, and proposing a sound plan. Some issues and/or challenges include, but are not limited to: (a) the target countries of Cote d'Ivoire and/or Ghana; (b) cocoa and the rural agricultural nature of the communities within which it is grown; (c) limited infrastructure and long distances between sites; (d) varying cultures and multiple languages spoken; (e) effectively interviewing children that may be currently engaged in a worst form of child labor and/or adults in forced labor situations in remote communities; (f) low literacy levels of respondents; and (g) political sensitivities related to working with sovereign foreign government entities. The applicant must demonstrate their recognition and understanding of these and other possible challenges that will be faced when conducting verification activities in the targeted country(ies).

Section 4 – Project Implementation Plan:

The applicant should specify the methodology and approach to be undertaken by the applicant and local partners to complete the verification activities as outlined below:

1. Document and examine the methodology used for the studies by the respective government agencies in Côte d'Ivoire and Ghana and ascertain the validity and reliability of the findings reported in the studies. This review will include, but is not be limited to:
 - a. Determining if clearly defined research objectives and anticipated outcomes (focusing on the worst forms of child labor and adult labor practices) guided the research process, including the development of instruments for data collection.
 - b. Examining the appropriateness and effectiveness of the research technique used (face-to-face interviews, self-administered survey, focus group discussions, telephone interviews, child-centered interview methods, participatory interview methods, or a combination of one or more of these), and the basis for selection of the technique.
 - c. Assessing the validity and reliability of the instruments (questionnaires, interview guides, focus group discussion, and/or other group or individuals interview guides) used for the studies, with particular attention on the language of instruments, and on issues of translations of instruments into the languages of respondents.
 - d. Assessing the sensitivity of the data collection process with regard to targeted respondents (such as children, victims of trafficking, and children and adults in forced labor).
 - e. Assessing the techniques used for selecting the sample(s) for each country study [including controlling for sampling procedure (census, eligibility, etc.), identifying target respondents for the studies, sampling design and procedure, sample size, sample geographic areas, etc.].
 - f. Assessing the data collection procedures used (such as recruitment of fieldworkers, training of field staff, and trial field testing of instruments),
 - g. Assessing the fieldwork exercise, including duration, seasons data was collected, monitoring of data collection process, and establishing quality control mechanisms, including follow-up procedures, to ensure verifiable data results.
 - h. Assessing the quality of data handling, processing, and cleaning for accuracy.
 - i. Assessing the data analysis processes and determine if:
 - i. results, conclusions, and recommendations were in line with and/or address the objectives of the studies;
 - ii. appropriate statistical techniques were applied in analyzing the data and whether the results are accurately presented in a manner that provides the most useful information possible, i.e., testing alternative tabulations and factor/regression models; and
 - iii. the data management system design offers an evidence-based and user-friendly data management system where results can be presented and easily analyzed (i.e., using SPSS or similar program).

2. Conduct studies of the sub-sample respondent groups covered in the studies to verify whether the results and the conclusions in the study reports are in line with the objectives of the studies as set out by the two governments and their development partners.

3. Present the results of the verification exercise in a report for each country. Each report should include, but is not limited to:
 - a. Description of methodology for conducting verification activities.
 - b. Findings with respect to the issues outlined in # 1 above.

- c. Results of the sub-sample study conducted.
 - d. Summary of strengths found in the studies.
 - e. Summary of gaps, errors, omissions, inaccuracies and/or serious shortfalls, and suggestions for modifications, improvements, and/or technical assistance that can serve to strengthen future studies and the certification process.
 - f. Additional remarks and comments that are appropriate for advancing the verification process.
4. Make recommendations for acceptance or rejection of the findings, conclusions, and recommendations of the study reports, with detailed explanation and documentation as follows:
 - Accept: Without modification.
 - Conditional Acceptance: Acceptance conditional on modifications specified in the verification report.
 - Reject: Recommendation for improvements of the research process for future studies.
 - Conditional Rejection: Rejection of part or whole of the report, findings, conclusions, or recommendations, as may be required.

The report should include an executive summary of no more than 8-10 pages, table of contents, and appendices. The report is expected to be no more than 80-100 pages in length, and include a summary chart that summarizes key findings that led to the final recommendation of acceptance or rejection of the government studies. The report will be submitted both electronically and in a camera-ready format for printing. Printing of the report will be handled by the ICVB Secretariat.

The report will be made public and widely distributed. The report will serve to inform the international community on the progress of efforts to eliminate the worst forms of child labor and adult forced labor in the cocoa sector in Côte d'Ivoire and Ghana. The report for Côte d'Ivoire, once completed, will require formal translation into French.

5. Proposed strategy for future verification activities.

The ICVB seeks to establish a quality, evidence-based verification process, including a timeline of activities, which is of the highest ethical standards in the field of social research. The findings from the verification process will be used to strengthen certification efforts and, in the future, will be used to strengthen remediation activities. The ICVB expects the verification of findings to be conducted in a manner that is transparent and sustainable. The first round of verification activities will serve as a benchmark for future verification work to be performed. Following the completion of the first round of verification activities and based on the findings, the applicant will submit a proposed detailed strategy report to the ICVB for its consideration that describes how the verification efforts can be improved and how remediation activities can be brought into the verification process. This will require the applicant to incorporate this into its verification activities during the initial period of review. The applicant should provide a description of the methodology of how the strategy will be developed and what will be presented within the future verification strategy report.

The ICVB respects the willingness of the governments of Côte d'Ivoire and Ghana to actively participate and work with the ICVB throughout the verification process. The ICVB expects that throughout this process, the governments will be afforded the utmost respect and activities will be conducted in such a manner that is constructive and working toward building capacity while serving the best interest of children and laborers in the cocoa sector.

Finally, this section must include a time-task plan that clearly identifies the objectives, major activities to be performed and accomplished, deliverables, and staff assigned.

Section 5 - Organizational Capability:

Applications should include a clear description of the applicant, its Associates, and/or local partner's including an Organigram of the project structure. A detailed description of previous experience conducting research, data, and other program evaluation; social accountability auditing; verification assignments; or other projects requiring performance of similar verification activities that has been previously performed is required. This could be presented in the form of a chart providing information relevant to this solicitation, including:

1. The organization and/or donor for whom the work was performed;
2. A contact person in that organization with his/her current phone number;
3. The dollar value of the grant, contract, or Cooperative Agreement for the project;
4. A brief summary of work performed that is related to those required under this solicitation;
5. The time frame and professional effort involved in the project; and
6. A brief summary of accomplishments.

This information on previous grants, Cooperative Agreements, and contracts held by the applicant must be provided in the appendices and will not count toward the maximum page requirement. The ICVB reserves the right to contact the organizations listed and use the information provided in evaluating applications.

The narrative should include a description detailing the experience and background of the Lead organization in Cote d'Ivoire, Ghana, and/or in the West Africa region. If the Lead organization does not have country presence and will be working with Associates and/or local partners, a clear description must be provided regarding the Associates and/or local partner's capacity and experience in the skills required to perform the tasks under this solicitation, language capabilities, and knowledge of cocoa and the geographic areas of study.

The technical skills and capabilities sought include but are not limited to:

1. Prior experience and knowledge of similar or related verification/certification processes and/or assignments.

2. Knowledge and experience in social research, specifically surrounding marginalized populations such as those at-risk or engaged in WFCL, adult forced labor, and/or victims of trafficking.
3. Capacity for working and conducting research in the local languages spoken in the cocoa growing areas in Côte d'Ivoire and/or Ghana.
4. Cultural sensitivity for working and conducting research in the rural, agricultural cocoa growing communities in Côte d'Ivoire and/or Ghana.
5. Familiarity with the cocoa sector or other similar agricultural sectors.
6. Prior experience working in the targeted geographic area/s in Côte d'Ivoire and/or Ghana.
7. Be of irrefragable ethical quality and independence.

Documentation of the applicant's (and partners) legal status should be included within the appendices.

Section 6 – Qualifications of Key Staff:

A summary paragraph describing the qualifications, skills, and experience of the proposed project director, primary investigators(s), and other key staff to ensure that project activities are accomplished with quality and in a timely manner should be provided.

Resumes – a resume, not to exceed two (2) pages, must be included for all proposed key staff positions, such as the Project Director, primary investigator(s), senior/technical managers, field coordinators, and technical consultants for the Lead organization, Associates, and/or local partnering organization.

If an individual for the senior level positions has not been identified, the applicant must submit a one-page position description, identifying the qualifications and skills required for that position, in lieu of a resume. If not a current employee of the Lead organization, Associate, or local partnering organization, a letter certifying availability to start performing duties within 15 days of contract award is required.

Section 7 - Budget:

The ICVB anticipates awarding cost-reimbursement contract(s) to successful applicant(s). Awards will be made to one or more qualified consultants pursuant to a definitive Contract Agreement. Preference will be given to a “general contractor model” working with various entities on the ground in the targeted geographic areas. However, this preference does not preclude using one general contractor to conduct verifying activities in each respective country or from local entities responding to this RFP.

The proposal must include the following and the stated page limits must be adhered to:

1. **Summary Budget**– the budget must identify the total amount of funding requested, in U.S. dollars, with a breakdown of amounts to be spent in the following budget categories, as applicable: (a) Personnel; (b) Fringe Benefits; (c) Travel; (d) Equipment; (e) Supplies; (f) Contractual; (g) Consultant Fees; (h) Other Direct Costs; (i) Total Direct Charges

[sum of (a) through (h)]; (j) Indirect Charges; and (k) Totals. **The summary budget cannot exceed one (1) page in length.**

2. **Line-Item Budget** – the line-item budget must provide sufficient information for each summary category to justify the inclusion and reasonableness of the costs presented. **The line-item budget cannot exceed three (3) pages in length, and must be articulated as follows:**
 - a. *Personnel* – Identify staffing requirements by each position title and a brief description of duties. List total salary/wages to be paid for each position, percentage of overall time, and number of days devoted to project.
 - b. *Fringe Benefits* – State benefit costs separately from salary costs and explain how benefits are computed for each category of employee. Specify the type and rate.
 - c. *Travel* – Identify staff and participant travel, including: international airfare; in-country travel; domestic travel in the U.S.; and per diem/maintenance (includes lodging, meals, and incidentals for both participant and staff travel). For purposes of budgeting, please note that rates of maximum allowance for foreign travel are available at: www.policyworks.gov. Per diem rates may not exceed the published U.S. allowance rates, which the ICVB is adhering to, but institutions do have the option of using lower per diem rates.
 - d. *Equipment* – Provide justification for any equipment purchase/rental, defined as tangible personal property having a useful life of more than one year and an acquisition cost of USD 1,000 or more.
 - e. *Supplies* – List items separately using unit costs (and the percentage of each unit cost being charged to the grant) for photocopying, postage, telephone/fax, printing, office supplies, and equipment not subject to item (d).
 - f. *Contractual* – For each subcontract, provide a detailed line-item breakdown explaining specific services. In the subcontract budgets, provide the same level of detail for personnel, fringe benefits, travel, supplies, equipment, and direct and indirect costs required of the primary applicant.
 - g. *Consultant Fees* – If consultants will be used in the grant, provide all costs related to their activities, including travel and per diem costs.
 - h. *Other Direct Costs* – These will vary depending on the nature of the proposed activities. Identify each cost and provide justification.
 - i. *Indirect Charges* – If your organization has an indirect cost rate agreement with a government entity, include a copy as an addendum to the budget, and indicate how the rate is applied. A description of the costs included within the indirect charges should be provided.
3. **Budget Narrative** – A budget narrative must accompany the line-item budget to sufficiently justify each identified cost. Also, a description of the cost accounting system used by the applicant and partners must be included. **The budget narrative must not exceed three (3) pages.**
4. **Most recent audit** – A copy of the applicant’s (and partners) most recent financial audit should be included within the appendices. If no financial audit has been conducted, this

should be noted, with a description of the steps to be taken by the Lead organization to safeguard the expenditures of contract award funds.

Contract agreement funds may not be encumbered/obligated by the contractor before or after the period of performance. Encumbrances/obligations outstanding as of the end of the Contract Agreement period may be liquidated (paid out) after the end of the Contract Agreement period. Such encumbrances/obligations may involve only specified commitments for which a need existed during the Contract Agreement period and that are supported by approved contracts, subcontracts, purchase orders, requisitions, invoices, bills, or other evidence of liability consistent with the applicant's purchasing procedures and incurred within the Contract Agreement period. All encumbrances/obligations incurred during the Contract Agreement period must be liquidated within 60 calendar days after the end of the Contract Agreement period, unless a longer period of time is granted by the ICVB, in its sole discretion.

V. AWARD SELECTION CRITERIA

This section identifies and describes the criteria that will be used to evaluate proposals for the ICVB verification activities covered by this RFP on the basis of 100 points.

Evaluation Criteria: Applicants should note that the following criteria: 1) serve as a standard against which all proposals will be evaluated, and 2) serve to identify the significant matters that should be addressed in all proposals. The ICVB will award grants to the applicants whose offers represent to the ICVB the best value on the basis of technical merit and quality.

Each application will be evaluated by members of the Technical Committee of the ICVB and further reviewed and agreed to by the full ICVB. The evaluation criteria have been tailored to the requirements of this RFP.

- **Understanding of the Issues (10 points):** This section should demonstrate the applicant's knowledge and understanding of the issues surrounding verification of studies to document and report on the WFCL and ALP in the cocoa supply chain in Cote d'Ivoire and Ghana, as well as relevance to the program objectives of the ICVB as described under IV. Application and Submission Information, Section 3. Understanding Issues Surrounding Verification of Cocoa in Cote d'Ivoire and/or Ghana.
- **Methodology / Approach for Verification Activities (35 points):** Applicants should describe what they propose to do and how they will do it. The proposed activities must directly support accomplishing all areas within the verification process as outlined in IV. Application and Submission Information, Section 4. Project Implementation Plan. The ICVB will be reviewing the implementation plan in terms of how well it addresses the goals and objectives of the certification process, comprehensiveness of the proposed methodology for current and future verification activities, and timeline for completion of the reports.
- **Organizational Capability / Experience (30 points):** Applicants should demonstrate their ability to develop and implement programs in the targeted geographic area(s).

Applicants must demonstrate how their resources, capabilities, and experience will enable them to achieve the stated goals and objectives within the designated timeframe. The applicant should address all areas identified within IV. Application and Submission Information, Section 5 Organizational Capability.

- **Qualifications of Key Staff (20 points):** The ICVB will consider the appropriateness of the selected project director, in view of the role and responsibility that person will play in guiding the verification process from implementation through to completion, and the qualifications of principal investigator(s) and other senior / technical managers, field coordinators, and consultants. Position descriptions submitted in lieu of the resume will be reviewed for the appropriateness of the qualifications and skills identified. Also, the ICVB will consider the ability of the applicant to ensure a timely start-up of activities following contract award. The applicant should address all areas identified within IV. Application and Submission Information, Section 6 Qualifications of Key Staff.
- **Summary and Line-Item Budgets, and Budget Narrative (10 points):** Costs will be evaluated for realism, control practices, and efficiency. The ICVB must determine that the costs paid for this award are reasonable and allocable to the proposed project activities. This will consist of a review of the budgets and narrative to determine if the overall costs are realistic for the work to be performed, if the costs reflect the applicant's understanding of the allowable cost principles established by universally accepted cost accounting standards and if the costs are consistent with the program narrative. The applicant should address all areas identified within IV. Application and Submission Information, Section 7 Budget.

VI. AWARD ADMINISTRATION INFORMATION

Award Notices: The contract award shall be written, signed, awarded, and administered by the ICVB Secretariat, Verité, on behalf of the ICVB. Verité is the ICVB official Secretariat, and is delegated the authority by the ICVB to write, award, and administer contracts. The ICVB's legal status is pending and Verité will act on its behalf in the interim. The contract award agreement is the authorizing document and it will be provided to the Recipient through either mail or facsimile transmission. Organizations whose applications will not be funded will also be notified in writing. Following notice of award, successful applicants must return a signed copy of the Contract Agreement to Verité.

Anticipated Time to Award: Applicants should expect to be notified of the status of their submitted proposal within 30 days after the submission deadline. Following this initial notification, Verité staff will provide information at the point of notification about the requirements for the contract award, which may include revisions to the activities proposed. The ICVB reserves the right to reduce, revise, or increase proposal budgets in accordance with the needs of the verification process.

Applicants should be aware that there will be a short time span between contract award and expected start-up of activities. Successful applicants can expect an expedited contract award within 45 days after the ICVB approves their application.

The top applicants may be requested to attend the ICVB's April 2008 meeting to provide a one-hour verbal presentation that includes an overview of the approach to achieving the verification activities, the applicant's experience and capabilities, and qualifications of their team to perform activities. The successful applicant(s) will be provided an orientation sponsored by the ICVB in order to assist with start-up and ensure quality of the verification activities.

Applicants selected for an award must meet the following reporting and policy requirements:

- **Reporting Requirements:** Contractors are required to submit progress and financial reports following completion of major deliverables as identified throughout the project period. Progress and financial reports are due 30 days after the reporting period. Final programmatic and financial reports are due 90 days after the close of the contract period. Progress reports at a minimum should be submitted via email to an address to be provided in the award.
- **Policy Requirements:** Contractors are required to agree to the following special conditions prior to a grant being awarded:
 - Certification that applicant has no pre-existing conflict of interest or will become engaged in any activities that would constitute such.

VII. DISCLAIMER

Issuance of this RFP does not constitute an award commitment on the part of the ICVB, nor does it commit the ICVB to pay for costs incurred in the preparation and submission of proposals. Further, the ICVB reserves the right to reject any or all proposals received.

If a proposal is selected for funding, the ICVB has no obligation to provide any additional future funding in connection with the award, except as provided under Section IV. Renewal of an award to increase funding or extend the period of performance is at the total discretion of the ICVB.

In all events, the terms and conditions of an awarded Contract Agreement will apply following signature by the parties and this RFP will have no further application.

Appendix 6: International Cocoa Initiative Report, 2006

Name of Project/Program/ Consultancy	Start Date	Completion Date	Name of Company	Impact/Output	Partner Organizations	Company Contribution	Partner Contribution	Implementing Organization	Country
Survey of Cocoa Farming Labor Practices	2002	2002	Industry		USAID, ILO			IITA	
Farmer Field Schools/STCP Pilot Project	2003	2006	WCF, Industry	<i>see country specific data from WCF website below</i>	USAID, USDA, Nigeria MoAR, FDPAPCC, CIDA, DANIDA, CIM Germany, Dutch MoA, ARD, TransFair			IITA, SOCODEVI, ANADER, Rainforest Alliance	Cameroon Côte d'Ivoire, Ghana, Liberia, Nigeria
Farmer Field Schools/STCP	2007	2011	WCF, Industry	<i>see country specific data from WCF website below</i>	USAID				
Support for Cocoa Farming Women Partners			Chocolate Manufacturers Assn, Nestle, SunSpire		IITA/SCTP				
Improving Incomes through Farmer Organization	2003	2006	Industry	<i>see country specific data from WCF website below</i>	SOCODEVI			IITA/STCP	
Healthy Communities Initiative	2006	5 years	WCF		USAID				
"Parallel Effort" to above			WCF		Canadian IDA			SOCODEVI	
IFESH "Teacher Training"	2005	2007	WCF, Hershey	<i>see country specific data from WCF website below</i>				IFESH	Ghana, Cdl

Appendix 6: International Cocoa Initiative Report, 2006

Name of Project/Program/ Consultancy	Start Date	Completion Date	Name of Company	Impact/Output	Partner Organizations	Company Contribution	Partner Contribution	Implementing Organization	Country
CLASSE	2004	2007	WCF, CloettaFazer AB, Mars, Norwegian Assn. Chocolate Manufacturers	<i>see country specific data from WCF website below</i>	Winrock			Winrock	Côte d'Ivoire
ECHOES	2007	multi yr	WCF		USAID				
Community Health			Industry, ICI					FHI	
Côte d'Ivoire Police & MoA Training	2007		Industry, ICI						
ICI COCOBOD Radio Program	2007		Industry, ICI		COCOBOD				Ghana
Certification for Cocoa Farming									
First Certification Report Ghana	2007				Govt. of Ghana				
Migratory Labor Study			Industry		UNICEF			University of Ghana	Ghana
WACAP Pilot Project	2002		Industry		ILO				
Resource Centers at Teacher Training Institutes	2005	2007	WCF, Hershey					IFESH	Ghana and Côte d'Ivoire
Rainforest Conservation Project			WCF		Danish Center for Forest and Land-scaping, Conservation International				

Source: *Responsible Sustainable Cocoa Farming: Industry Report, July 2007*

Appendix 7: Industry Report on Programs

Name of Project/Program/Consultancy	Start Date	Completion Date	Name of Company	Impact/Output	Partner Organizations	Company Contribution	Partner Contribution	Implementing Organization	Country
Consultancy for Programme Development	Nov-03	May-04	ICI			\$39,275		Project Service International	Côte d'Ivoire
Consultancy for Programme Development	Nov-03	Dec-04	ICI			\$26,672		Associates for Change	Ghana
Organisation of Cocoa Board Consultation Meeting	Sep-04	Oct-04	ICI			\$6,220		Sylvia Hinson Ekong	Ghana
Capacity Building of ICI Partners	Nov-04	Dec-05	ICI	PDA Staff and Implementing Partners trained in WFCL, PRA, PLA & Monitoring Communities		\$41,063		Sylvia Hinson Ekong	Ghana
Review of Social Protection System and Structures	Sep-05	Apr-06	ICI			\$41,644		Associates for Change	Ghana
Training & development of Cocoa Boards field agents	May-05	Dec-05	ICI	Sixteen training workshops for Cocobod field agents in WFCL, community sensitization, identification and referral of children		\$79,618		Sylvia Hinson Ekong	Ghana
Capacity Building of ICI Partners	Jun-05	Dec-05	ICI			\$5,160		N'Guessan	Côte d'Ivoire
Prof. Photographer for Communications Materials	Mar-06	May-06	ICI			\$19,410		Chernush	Ghana
Coordination of Community based pilot programme	Nov-04	Jan-07	ICI			\$232,953		Participatory Development Assoc.	Ghana
Facilitation of Social Protection Reflection Group	Dec-04	Dec-06	ICI			\$30,694		Kouakou	Côte d'Ivoire
Community Pilot Program	Mar-05	Jan-07	ICI			\$24,535		Hope for Humanity	Ghana
Community Pilot Program	Mar-05	Jan-07	ICI			\$24,405		SCMPP	Ghana
Community Pilot Program	Apr-05	Jan-07	ICI			\$34,952		Codesult	Ghana
Community Pilot Program	Dec-05	Nov-06	ICI			\$57,761		CFRAR	Côte d'Ivoire
Social Protection	Jul-05	Jul-07	ICI			\$71,721		MESAD	Côte d'Ivoire
Study on education opportunities, alternatives	Feb-06	Jul-07	ICI	138 page report with recommendations for the enabling environment, teaching & learning & collaboration		\$45,667		Odonkor	Ghana
Capacity Building of ICI Partners	Mar-06	May-05	ICI			\$232,565		Babo	Côte d'Ivoire

Appendix 7: Industry Report on Programs

Name of Project/Program/Consultancy	Start Date	Completion Date	Name of Company	Impact/Output	Partner Organizations	Company Contribution	Partner Contribution	Implementing Organization	Country
Community Pilot Program	Apr-06	Jun-07	ICI			\$94,849		Caritas	Côte d'Ivoire
Training Cocoboard									
Training Cocoboard plus	May-06	Dec-06	ICI			\$51,307		Future Development	Ghana
EU Fundraising	May-06	Dec-06	ICI			\$68,000		GHB-EU Funds	
Development of Training Materials	May-06	Apr-07	ICI			\$42,633		Sergile	Côte d'Ivoire & Ghana
Farmer Field Schools in Pilot Communities	Jun-06	Jan-07	ICI			\$24,588		IITA	Ghana
Construction of School in Burkina Faso (TREAT)	Dec-06	Jun-07	ICI			\$62,591		Save the Children Canada	Burkina Faso
Natl Determinat & Identification of Hazardous Child	Dec-06	Jun-07	ICI			\$21,000		MMYE	Ghana
Coordination of Community based pilot programme	Feb-07	Feb-09	ICI	Work started Feb 2007		\$400,000		PDA	Ghana
Training Cocoaboard Plus	Feb-07	Feb-09	ICI	Work started Feb 2007		\$178,370		Future Development	Ghana
Community Pilot Program	Feb-07	Feb-09	ICI	Work started Feb 2007		\$88,425		SCMPP	Ghana
Community Pilot Program	Feb-07	Feb-09	ICI	Work started Feb 2007		\$73,439		Codesult	Ghana
Community Pilot Program	Feb-07	Feb-09	ICI	Work started Feb 2007		\$76,742		Hope for Humanity	Ghana
Photos 7 Interviews in Ghana	Sep-07	May-08	ICI			\$31,276		Journalist Kim Naylor	Ghana
Local Representation of ICI in Côte d'Ivoire	Sep-06	Mar-07	ICI	Local Representative in Place		\$19,996		Robalé Kahogi	Côte d'Ivoire
ICI representative in Côte d'Ivoire	Mar-07	Mar-08	ICI			\$6,086		Me Hoegah	Côte d'Ivoire
Legal services in Côte d'Ivoire	Jan-07	Dec-07	ICI			\$12,172		Me Hoegah	Côte d'Ivoire
Support to Training	May-07	Jun-07	ICI			\$14,754		Katherine Owen	Côte d'Ivoire
Replication of Community Program	May-07	Jun-08	ICI			\$55,000		GLORI NGO	Ghana
Replication of Community Program	May-07	Jun-08	ICI			\$55,000		SLF NGO	Ghana
Replication of Community Program	May-07	Jun-08	ICI			\$55,000		HACOG NGO	Ghana
Training Program in Côte d'Ivoire	Apr-07	Dec-07	ICI			\$252,821		Mr. A. Babo	Côte d'Ivoire
Media Support	Apr-07	Jul-07	ICI			\$30,000		Ms.M Denton	

Appendix 7: Industry Report on Programs

Name of Project/Program/Consultancy	Start Date	Completion Date	Name of Company	Impact/Output	Partner Organizations	Company Contribution	Partner Contribution	Implementing Organization	Country
Support for Advocacy at EU	Apr-07	Oct-07	ICI			\$40,000		GHB Brussels	
Support to MADINA Rehab centre	May-07	May-08	ICI			\$15,000		Government of Ghana	Ghana
Radio Sensitisation program	May-07	May-08	ICI			\$15,000		Cocoa Board	Ghana
Support for Capacity of CL Desk	Jun-07	Jun-08	ICI			\$12,000		Child Labour Desk	Ghana
Community Program	Jun-07	Jun-08	ICI			\$71,004		UVPAP NGO	Côte d'Ivoire
Community Program	Jun-07	Jun-08	ICI			\$71,004		FEMAD NGO	Côte d'Ivoire
Support for Welcome Centres	Jun-07	Dec-08	ICI			\$81,148		Ministry of Family, Women, etc	Côte d'Ivoire
Follow-up on trafficking	Jul-07	Jul-08	ICI			\$50,000		Rescue Foundation	Ghana
ICI Total Spent and/or Budgeted since November 2003						\$3,083,523			
ICI Total Budgeted since November 2003						\$3,276,598			
<p>ICI has budgetted \$3,276,598 since November 2003. From November 2003 through December 2006, \$284,600 was budgetted and \$259,062 (>90%) was spent on completed and audited projects. Since November 2004, contracts for \$2,175,709 have been written and the projects started. Ten projects were completed and in the process of audit at the time of this report. An additional \$816,287 has been budgetted for projects which are still at the proposal stage and for which contracts had not yet been written at the time of this report.</p>									
<p><i>Source: International Cocoa Initiative (ICI) Report, 23 March 2007</i></p>									

Appendix 8: Report of Individual Company Efforts, 2007

Name of Project/Program/Consultancy	Start Date	Completion Date	Name of Company	Impact/Output	Partner Organizations	Company Contribution	Partner Contribution	Implementing Organization	Country	
Health & Safety Program		ongoing	Archer Daniels Midland (ADM)	400 permanent and 1000+ temporary and seasonal ADM Cocoa Sifca employees				ADM Cocoa Sifca	Côte d'Ivoire	
Compliance & Ethics		ongoing							ADM Cocoa Division	Côte d'Ivoire
HIV/AIDS Programs		ongoing			National Agency for Tropical & Infectious Diseases				ADM Cocoa Sifca	Côte d'Ivoire
Technical Training Programs	2001	ongoing	Archer Daniels Midland (ADM)	>10,000 co-op members attended seminars	IITA/STCP			ADM Cocoa Sifca	Côte d'Ivoire	
Train the Trainers Field Schools	Oct-03	ongoing	ADM Cocoa Sifca	funded 8 co-ops to attend	IITA/STCP			IITA/STCP	Côte d'Ivoire	
SERAP Pilot Program	2005	ongoing	Archer Daniels Midland (ADM)	scores & grades cocoa from 10 co-ops (15,000 members) >10,000MT of cocoa sourced				ADM Cocoa Sifca	Côte d'Ivoire	
Ivorian School Canteen Program	2004/05	ongoing	ADM Cocoa Sifca	pilot reached 257 primary schools and 79,000 children	WFP			MoE Ivorian School Canteens Program	Côte d'Ivoire	
Purchase Traceable Cocoa			Armajaro	<i>not supplied</i>					Ghana	
Child Labor Education									Cocobod	Ghana
Video Training in Ag Practices									IITA/STCP	Ghana
Hand-dug wells, electricity poles and school furniture									communities	Ghana
Multi-disciplinary project to increase smallholders' income manage natural	Nov-05	Mar-09	Armajaro Kraft	<i>not supplied</i>	GTZ USAID ANADER Rainforest Alliance			ANADER, GTZ, Amajaro	Côte d'Ivoire Côte d'Ivoire	

Appendix 8: Report of Individual Company Efforts, 2007

Name of Project/Program/Consultancy	Start Date	Completion Date	Name of Company	Impact/Output	Partner Organizations	Company Contribution	Partner Contribution	Implementing Organization	Country
Partenaire de Qualité program to raise quality through training and performance audits; child labor awareness to be added	Jun-05	May-08	Barry Callebaut, SACO, Barry Callebaut Négoce, SN Chocodi	45 cooperatives with 150 to 800 cocoa farmers in program; 33 training sessions held for >850 farmers	ANANDER Cocoa Co-operatives			ANADER provides independent audit	Côte d'Ivoire
Barry Village Housing	Dec-04	Nov-05	Barry Callebaut	54 homes purchased; BC contributed \$300,000 of \$1,080,000 total cost	Employees buy houses at 2/3 cost			BC Subsidiaries	Ghana
Barry Health Benefits		ongoing		all employees & their families have health care					Ghana & Côte d'Ivoire
Barry Adult Education Support		ongoing		pay 50% of employee educational fees				Ghana	
Cité SACO I		1998		102 homes	employees purchased houses at 13% of cost with 19% BC subsidy & BC negotiated mortgage			Côte d'Ivoire	
Cité SACO II		2007		93 homes					
Cité SACO San Pedro		2007		51 homes					
School, Education & Sport Support to employees		ongoing		furniture & materials to Cité SACO schools, employee ed allowance for children				Ghana	
HIV/AIDS Awareness	Trust fund established in 2002 with annual contribution of \$1/metric ton by BC Ghana to fund local health & education initiatives		BC Ghana	secondary school students	Lions Club			Ghana	
Medical Scholarships				5 post-grad med students	College of Health Science				
School Construction				secondary school	Kpone Traditional Council				
Computer Literacy Project				computer donated	Tema Presbyterian 2 ^o school				
Library				disabled training	Tema Rotary Club				
Eye Care Centre				Eye Care Center Established	Lions Club				Tema General Hospital
Child Ed & welfare				centre activities	Mother Theresa Senya Brekum				
Bednets & first aid	2007		Barry Callebaut					Côte d'Ivoire	
Medical Center in Goh	2007		Barry Callebaut					Côte d'Ivoire	
Fresh Water Community Hand Dug Wells	2001	2006	Cadbury-Schwepps	375 wells for 50,000 people	Kuapa Kokoo SDF & Wateraid				Ghana

Appendix 8: Report of Individual Company Efforts, 2007

Name of Project/Program/Consultancy	Start Date	Completion Date	Name of Company	Impact/Output	Partner Organizations	Company Contribution	Partner Contribution	Implementing Organization	Country
	2007	2008		365 wells for 55,000 people	local NGOs				
Earthshare & Bio-diversity for Sustainable Cocoa Farming	2005	ongoing	Cadbury-Schwepps	Students from Ghana & around the world	Earth-watch			Nature Conservation Research Center	
Ghana Cocoa Farmers Newspaper	Jul-06	ongoing	Cadbury-Schwepps, OLAM, Transroyal, ARMAJARO, Akoafo Adamfo, Kuapa Kokoo	75,000 copies per edition	CABI			CRIG	
Enterprise Loan Program	2007	ongoing	Cadbury-Schwepps	100 loans with business				Friends of Africa Foundation	
Books for Ghana	2006	ongoing	Cadbury-Schwepps	6,000 books donated & libraries				PDA	
Map Sustainable Production			Cadbury-Schwepps					IDS, Univ Ghana	
Cocoa Research Fund			Cadbury-Schwepps					BCCA	
Direct Annual Investment			Cadbury-Schwepps					IITA/STCP	
Direct Annual Investment			Cadbury-Schwepps					ICI	Côte d'Ivoire & Ghana
CS total investments in all above projects			Cadbury-Schwepps			\$2.6 million			Côte d'Ivoire & Ghana
Cargill-CARE Rural Education Project	2006	2008		30,000 farmers in 30 communities: 17.5% increase in school enrollment, farmer & educations committees				CARE	Ghana

Appendix 8: Report of Individual Company Efforts, 2007

Name of Project/Program/Consultancy	Start Date	Completion Date	Name of Company	Impact/Output	Partner Organizations	Company Contribution	Partner Contribution	Implementing Organization	Country
Cargill-IECD Farmer Field Schools Program	2005	2010	Cargill	30 family farm schools >400 students	Dutch MoA Communities			IECD	Côte d'Ivoire & Cameroon
Cargill Farmer Quality Training Program	2001	ongoing		10,000 farmers/year in Côte d'Ivoire				Cargill	Côte d'Ivoire & Nigeria
Cargill Cocoa Community Logistics Program to improve transport	2006	ongoing	Cargill	30 trucks for farmer to co-op 10 larger trucks warehouse to buying stations; 50 local people employed	Local Trucking Companies			Cargill	Côte d'Ivoire
Tema Maternity Wing (Clinic & Theatre)	2006	2007	Cargill	5,000 sq ft facility for 20 communities, 4-bed birthing room, 14-bed ward, surgical suite for Caesarean sections				Mercy Ships & Ghana Health Services	Ghana
Ghana Food Bank Network Pilot Project	2006	2008	Cargill	feasibility of local food banking				Global Food Bank Network	Ghana
Habitat for Humanity	2005		Cargill	20 homes				Cargill & Habitat for Humanity	Côte d'Ivoire
UN World Food Programme School Worm Treatment & Prevention Program	2005	2008	Cargill	health & sanitation training to 3,300 teachers; 340,000 students received de-worming treatment				UN WFP	Côte d'Ivoire
Chaine de Tout-Petits Immunization Program	2004	2006	Cargill	33,000 children received immunizations against meningitis and tetanus and treatment for intestinal				Chaine de Tout-Petits	Côte d'Ivoire
Projet de Production Durable de Cacao Certifie	2006	2009	Kraft and Armajaro	6 co-ops of 350 farms certified in 2007; 1,290 farmers, 3 group administrators and 9 farmer promoters trained	USAID GTZ			ANADER, IITA/STCP, Rainforest Alliance, EDE Consulting	Côte d'Ivoire
Child Labor Alternatives through Sustainable Systems in Education (CLASSE)	2005	2007	Kraft Foods Nordic via Norwegian Chocolate Manufacturers Association	80 youth completed agricultural training, 40 students & their guardians received micro-credit scholarships, 115 youth sensitized to child labor, 2,119 youth sensitized to HIV/AIDS, 30 students in agricultural clubs, 5 school renovated				Winrock	Côte d'Ivoire

Appendix 8: Report of Individual Company Efforts, 2007

Name of Project/Program/Consultancy	Start Date	Completion Date	Name of Company	Impact/Output	Partner Organizations	Company Contribution	Partner Contribution	Implementing Organization	Country
Partnership with Save the Children: Protect, educate & reunite children in conflict areas	2005	2006	Kraft Foods UK	3,000 children in educational support; 55 unaccompanied children registered & aided; 60% reunited with family; 30% established contact with families				SCF UK	Côte d'Ivoire
Partnership with Action Contre la Faim for Mobile Feeding Unit	2004	2005	Kraft Foods France	1,140 children screened in one month; 3,562 children receive food aid				Action Contra la Faim	Côte d'Ivoire
First International Workshop on Sustainable Cocoa Farming	1998		Mars	principals for sustainable, biologically diverse system of growing cocoa	Industry			Smithsonian	Côte d'Ivoire
Village Vocational School and Teacher training	2003	ongoing	Mars	pilot completed in 2005, expansion now sought	MoE Cdl			Winrock	Côte d'Ivoire
			WCF		USDA				Côte d'Ivoire
New Trees for Old as abandoned cocoa farms are reclaimed			Mars		GTZ				Côte d'Ivoire
Research to Produce Stronger, Resistant Cocoa Plants			Mars					University of Reading IITA/STCP	West Africa Region
Research Support			Mars		USDA, CATIE, INIAP, ACD/VOCA, IITA, African Society of National Summit on Africa				
Africa Health Initiative	2002	2006	Nestlé	\$2,575.758 committed over 1st 4 years for HIV/AIDS Programs				IFRC	Africa
IFRC Global Water & Sanitation Initiative	2006		Nestlé		EU			IFRC	
Wastewater Treatment Plant Study	2005	2007	Nestlé	monitoring needs for new wastewater treatment plant near Nestlé factory					Ghana
Supply Chain Management for Total Quality Cocoa	2006	2009	Nestle, ICI		Ecom/Zamacom Cocoa Depart			Cocoa Co-operatives	Côte d'Ivoire

Appendix 8: Report of Individual Company Efforts, 2007

Name of Project/Program/Consultancy	Start Date	Completion Date	Name of Company	Impact/Output	Partner Organizations	Company Contribution	Partner Contribution	Implementing Organization	Country
Financial Support outside of cocoa			Nestle					Les Amis des Enfants guesthouse for HIV+ women & children	Côte d'Ivoire
								Assn Espoir Health Centre	Côte d'Ivoire
								College of Health Sciences	Ghana
				improved rural sanitation					Raleigh International

Source: Responsible Sustainable Cocoa Farming: Individual Company Efforts, September 2007

Appendix 9: World Cocoa Foundation Report, 2007

Name of Project/Program/ Consultancy	Start Date	Completion Date	Name of Company	Impact/Output	Partner Organizations	Company Contribution	Partner Contribution	Implementing Organization	Country
Establishment of Resource Centers at Teacher Training Institutes	May-05	Aug-07	The Hershey Company and WCF	1,793 teachers trained for 72,913 students; 2 teacher resource centers equipped				IFESH	Ghana
				1,603 teachers trained for 64,120 students; 2 teacher resource centers equipped; 1,080 residents receiving literacy training					Côte d'Ivoire
Child Labor Alternatives through Sustainable Systems in Education (CLASSE)	Jun-04	Dec-07	WCF, Mars Inc, Norwegian Association of Chocolate Manufacturers and Cloetta Fazer AB	1,686 youth trained; 156 students & mothers received micro-credit, 1,278 youth sensitized to child labor; 7,288 youth sensitized to HIV/AIDS, 219 students in ag clubs; 9 school renovated; 10 cocoa plots, 11 school gardens & 1 tree replication nursery established				Winrock International	Côte d'Ivoire
Sustainable Tree Crops Program Pilot Phase	2003	2006	WDF, Industry	2,437 farmers trained by 85 FFS, 180 farmers at 9 VVC; 460 graduates in 3 field research studies; 5 orgs completed 1st round of training	USAID		USAID	IITA and SOCODEVI	Ghana
Sustainable Tree Crops Program Phase II	2007	2011							
Sustainable Tree Crops Core Program Pilot Phase	2003	2006	WCF, Industry	8,313 farmers trained at 236 FFS; 17,033 farmers by farmer-to-farmer training; 900 farmers trained in Rainforest Alliance Standards; 75 farmers trained through VVC, 690 farmers participated in mineral fertilizer study; 380 farmers established cocoa nurseries	USAID FDPCC			IITA, SOCODEVI ANADER Rainforest Alliance	Côte d'Ivoire
Sustainable Tree Crops Core Program Phase II	2007	2011							
Sustainable Production of Certified Cocoa	2006		Kraft Foods		USAID				
Cocoa Quality Improvement Project					TransFair USA				

Source: World Cocoa Foundation Website 2007

Appendix 10: List of projects financed by Industry targeted at education and training

Name of Project/Program/Consultancy	Start Date	Completion Date	Name of Company	Impact/Output	Partner Organizations	Implementing Organization	Company Contribution	Country
Establishment of Resource Centers at Teacher Training Institutes	5-May	7-Aug	The Hershey Company and WCF	1,793 teachers trained for 72,913 students; 2 teacher resource centers equipped		IFESH		Ghana
				1,603 teachers trained for 64,120 students; 2 teacher resource centers equipped; 1,080 residents receiving literacy training				Cote d'Ivoire
Child Labor Alternatives through Sustainable Systems in Education (CLASSE)	4-Jun	7-Dec	WCF, Mars Inc, Norwegian Association of Chocolate Manufacturers and Cloetta Fazer AB	1,686 youth trained; 156 students & mothers received micro-credit, 1,278 youth sensitized to child labor; 7,288 youth sensitized to HIV/AIDS, 219 students in agricultural clubs; 9 school renovated; 10 cocoa plots, 11 school gardens & 1 tree replication nursery established		Winrock International		Cote d'Ivoire
Village Vocational School and Teacher training	2003	ongoing	Mars	<i>Not supplied</i>	Ministry of Education	Winrock		Cote d'Ivoire
			WCF		USDA			Cote d'Ivoire
Sustainable Tree Crops Program Pilot Phase	2003	2006	WCF, Industry	2,437 farmers trained by 85 FFS, 180 farmers at 9 VVC; 460 graduates in 3 field research studies; 5 organizations completed 1st round of training	USAID	IITA and SOCODEVI		Ghana
Sustainable Tree Crops Program Phase II	2007	2011						
Sustainable Tree Crops Core Program Pilot Phase	2003	2006	WCF, Industry	8,313 farmers trained at 236 FFS; 17,033 farmers by farmer-to-farmer training; 900 farmers trained in Rainforest Alliance Standards; 75 farmers trained through VVC, 690 farmers participated in mineral fertilizer study; 380 farmers established cocoa nurseries; 48 producers trained by VVC in cocoa quality	USAID FDPCC	IITA, SOCODEVI ANADER Rainforest Alliance		Cote d'Ivoire
Sustainable Tree Crops Core Program Phase II	2007	2011						
Farmer Field Schools in Pilot Communities	6-Jun	7-Jan	ICI	<i>Not supplied</i>		IITA	\$34,981	Ghana
Study on education opportunities, alternatives	6-Feb	6-Oct	ICI	<i>Not supplied</i>		Odonkor	\$45,667	Ghana

Appendix 10: List of projects financed by Industry targeted at education and training

Name of Project/Program/Consultancy	Start Date	Completion Date	Name of Company	Impact/Output	Partner Organizations	Implementing Organization	Company Contribution	Country
Development of Training Materials	6-May	6-Dec	ICI	<i>Not supplied</i>		Sergile	\$42,633	Cote d'Ivoire & Ghana
Technical Training Programs	2001	ongoing	Archer Daniels Midland (ADM)	>10,000 co-op members attended seminars	IITA/STCP	ADM Cocoa Sifca		Cote d'Ivoire
Train the Trainers Field Schools	3-Oct	ongoing	ADM Cocoa Sifca	Funded 8 co-ops to attend	IITA/STCP	IITA/STCP		Cote d'Ivoire
Ivorian School Canteen Program	2004/05	ongoing	ADM Cocoa Sifca	Pilot reached 257 primary schools and 79,000 children	WFP	MoE Ivorian School Canteens Program		Cote d'Ivoire
Child Labor Education						COCOBOD		Ghana
Video Training in Agricultural Practices						IITA/STCP		Ghana
Hand-dug wells, electricity poles and school furniture			Armajaro	<i>Not supplied</i>		Communities		Ghana
Partenaire de Qualité program to raise quality through training and performance audits; child labor awareness to be added	5-Jun	8-May	Barry Callebaut, SACO, Barry Callebaut Négoce, SN Chocodi	45 cooperatives with 150 to 800 cocoa farmers in program; 33 training sessions held for >850 farmers	ANADER Cocoa Co-operatives	ANADER provides independent audit		Cote d'Ivoire
Barry Adult Education Support		ongoing		Pay 50% of employee educational fees				Ghana
School, Education & Sport Support to employees		ongoing	Barry Callebaut	Furniture & materials to Cité SACO schools, employee ed allowance for children				Ghana
School furniture & materials			Barry Callebaut	<i>Not supplied</i>				Ghana
HIV/AIDS Awareness	Trust fund established in 2002 with annual			Secondary school students	Lions Club			
Medical Scholarships				5 post-grad medical students	College of Health Science			
School Construction				Secondary school	Kpone Traditional Council			

Appendix 10: List of projects financed by Industry targeted at education and training

Name of Project/Program/Consultancy	Start Date	Completion Date	Name of Company	Impact/Output	Partner Organizations	Implementing Organization	Company Contribution	Country
Computer Literacy Project Library	contribution of \$1/metric ton by BC Ghana to fund local health & education initiatives		Barry Callebut	Computer donated	Tema Presbyterian 2 ^o school		\$35,000	Ghana
Child Education & Welfare				Disabled training	Tema Rotary Club			
				Centre activities	Mother Theresa Senya Brekum			
Books for Ghana	2006	ongoing	Cadbury-Schwepps	8,000 books donated & libraries being built in villages with ICI's Yen Daa Kye programs	Participatory Development Assoc.			Ghana
Cargill-CARE Rural Education Project	2006	2008	Cargill	school enrollment, farmer & educations committees established and SMC strengthened, 10 village school		CARE		Ghana
Cargill-IECD Farmer Field Schools Program	2005	2010		30 family farm schools >400 students	Dutch MoA Communities	IECD		Cote d'Ivoire & Cameroon
Cargill Farmer Quality Training Program	2001	ongoing		10,000 farmers/year in Cote d'Ivoire		Cargill		Cote d'Ivoire & Nigeria
Partnership with Save the Children: Protect, educate & reunite children in conflict areas	2005	2006	Kraft Foods UK	3,000 children in educational support; 55 unaccompanied children registered & aided; 60% reunited with family; 30% established contact with families		SCF UK		Cote d'Ivoire

Sources: Internal reports and documents submitted to Tulane University; Information published by ICI, WCF, cocoa/chocolate companies, and implementing partners on official websites.

Appendix 11: List of ILO and UN Definitions - Key Concepts and Definitions

Child	<p>“A child is defined as an individual under the age of 18 years, based on the 1989 United Nations Convention on the Rights of the Child and the ILO Convention on the Worst Forms of Child Labour, 1999 (No. 182). Since it is commonly accepted that a child under 5 years of age is too young to be engaged in work (although there are cases of exploitation or abuse by adults) or to start schooling, we considered only the child population aged 5-17 years for the purpose of our estimates.” (Hagemann <i>et al.</i> 2006)</p>
Child Work	<p>“Work is defined in terms of economic activity in the sense of the System of National Accounts (SNA) 1993.” (Hagemann <i>et al.</i> 2006)</p> <p>“Economic activity covers all market production (paid work) and certain types of non-market production (unpaid work), including production of goods for own use. Whether paid or unpaid, therefore, the activity or occupation could be pursued in either the formal or informal sector and in either urban or rural areas.” (Hagemann <i>et al.</i> 2006)</p> <p>“Children engaged in domestic chores within their own households, however, are not classified as economically active.” (Hagemann <i>et al.</i> 2006)</p> <p>“In line with the international definition of employment, one hour of work during the reference week is sufficient to consider a person as being at work in economic activity during that week. Also included in the classification are individuals with a job but who are temporarily absent from work due to illness, vacation, or other reasons.” (Hagemann <i>et al.</i> 2006)</p>
Minimum Age	<p>“The minimum age ... shall not be less than the age of completion of compulsory schooling and, in any case, shall not be less than 15 years.” (ILO Convention 138)</p> <p>“The same Convention [C138] exempts children from the ages of 12 or 13 years if engaged in ‘light work’. For the purpose of our estimates, we used 12 years as the global cut-off for light work. Thus, all children aged 5-11 years working in economic activities are considered child labour that requires elimination. Working children aged 12-14 years are considered to be in child labour, unless they perform light work.” (Hagemann <i>et al.</i> 2006)</p> <p>“The minimum age for admission to any type of employment or work which by its nature or the circumstances in which it is carried out is likely to jeopardize the health, safety or morals of young persons shall not be less than 18 years.” (ILO Convention 138)</p> <p>“‘Child labour’ as estimated in this document therefore comprises all children under 15 years of age who are economically active, excluding (i) those under 5 years of age and (ii) those aged 12-14 years who spend fewer than 14 hours a week on their jobs, unless their activities or occupations are hazardous by nature or circumstance.” (Hagemann <i>et al.</i> 2006)</p>

Appendix 11: List of ILO and UN Definitions - Key Concepts and Definitions

<p>Hazardous Work</p>	<p>“Work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.” (ILO Convention 182)</p> <p>“Consideration should be given, inter alia, to:</p> <p>(a) work which exposes children to physical, psychological or sexual abuse;</p> <p>(b) work underground, under water, at dangerous heights or in confined spaces;</p> <p>(c) work with dangerous machinery, equipment and tools, or which involves the manual handling or transport of heavy loads;</p> <p>(d) work in an unhealthy environment which may, for example, expose children to hazardous substances, agents or processes, or to temperatures, noise levels, or vibrations damaging to their health;</p> <p>(e) work under particularly difficult conditions such as work for long hours or during the night or work where the child is unreasonably confined to the premises of the employer.” (ILO Recommendation 190)</p>
<p>Forced Labor and Bounded Labor</p>	<p>“All forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour.” (ILO Convention 182)</p> <p>“The term forced or compulsory labour shall mean all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.” (ILO Convention 29)</p> <p>“Debt bondage, that is to say, the status or condition arising from a pledge by a debtor of his personal services or of those of a person under his control as security for a debt, if the value of those services as reasonably assessed is not applied towards the liquidation of the debt or the length and nature of those services are not respectively limited and defined.” (UN Supplemental Convention on the Abolition of Slavery)</p> <p>“Serfdom, that is to say, the condition or status of a tenant who is by law, custom or agreement bound to live and labour on land belonging to another person and to render some determinate service to such other person, whether for reward or not, and is not free to change his status.” (UN Supplemental Convention on the Abolition of Slavery)</p> <p>“Any institution or practice whereby a child or young person under the age of 18 years, is delivered by either or both of his natural parents or by his guardian to another person, whether for reward or not, with a view to the exploitation of the child or young person or of his labour.” (UN Supplemental Convention on the Abolition of Slavery)</p>

Appendix 11: List of ILO and UN Definitions - Key Concepts and Definitions

<p>Trafficking of Children</p>	<p>“All forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour.” (ILO Convention 182)</p> <p>(a) “Trafficking in persons’ shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;</p> <p>(b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;</p> <p>(c) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered ‘trafficking in persons’ even if this does not involve any of the means set forth in subparagraph (a) of this article;</p> <p>(d) ‘Child’ shall mean any person under eighteen years of age.” (UN Protocol to Prevent, Suppress and Punish Trafficking in Persons)</p>
<p>Worst Forms of Child Labor (WFCL)</p>	<p>“For the purposes of this Convention, the term the worst forms of child labour comprises:</p> <p>(a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict;</p> <p>(b) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances;</p> <p>(c) the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties;</p> <p>(d) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.” (ILO Conventions 182)</p>

Appendix 12a: Local Laws and Regulations in Côte d'Ivoire

RAPPORT N°3

LES DROITS DE L'ENFANT DANS LA LEGISLATION ET LES COUTUMES EN COTE D'IVOIRE.

PRESENTATION

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1-0 AVANT PROPOS

La problématique des droits de l'enfant revêt aussi bien un caractère international que national. C'est donc ce souci de protection de l'enfance qui a conduit à la naissance du protocole Harkin-Engel. Celui-ci ayant pour objectif d'amener les États de Côte d'Ivoire et du Ghana à s'engager dans la lutte contre les pires formes de travail des enfants constatées dans les plantations de cacao desdits pays.

Il nous revient dans le cadre de ce rapport de relever dans la législation en Côte d'Ivoire et les pratiques coutumières la place des droits de l'enfant. La finalité de ce rapport, instruit par TULANE UNIVERSITY devrait nous convaincre sur la question de la protection des droits de l'enfant en Côte d'Ivoire et répondre à la question suivante :

La législation Ivoirienne et les coutumes en Côte d'Ivoire sont-elles complètes ou non en matière de la protection des Droits de l'enfant ?

Peut-être que nos recherches objectives et recommandations pourraient aider les initiateurs de ce rapport à apporter leur concours dans cette lutte combien noble pour le bien-être de l'enfant. En tout état de cause, la Côte d'Ivoire est déjà engagée à revoir sa copie en matière de protection des droits de l'enfant eu égard à la découverte courant 1999 des exactions sauvages perpétrées par les cacaoculteurs Ivoiriens et Ghanéens sur des enfants, les astreignant ainsi aux pires formes de travail.

La crédibilité de ce rapport dépendra absolument de son objectivité car comme on le dit en Afrique « le problème de l'enfant reste une affaire de tous ». Que la sagesse nous guide !

2-0- REMERCIEMENTS

A Messieurs Lorougnon Horé Félix, Médecin consultant indépendant auprès de TULANE ; Christopher Bayer de Tulane University auprès de l'Organisation Africaine de la Santé(O.A.S) ; Ambroise Lago, juriste économiste ; Cissé Yao Jules, juriste ; Kipré Daleba Valentin président de AFIPE (Association Franco-ivoirienne de la protection de l'Enfance) ; Adjobi Koukoua Aubin, Directeur exécutif de Défense de l'Enfance Internationale (DEI- Côte d'Ivoire) dont les conseils et suggestions ont été décisifs dans la réalisation de ce rapport.

Mes remerciements sont également adressés à Madame Alexandra WESTERBEEK de l'UNICEF ; au Bureau International de Travail (B.I.T.) ; à la représentation de l'UNESCO à Abidjan ; à CARE International Côte d'Ivoire, pour la documentation mise à notre disposition lors de cette étude.

Nous n'oublions pas également les différents responsables des centres de documentations et bibliothèques de référence, les chefs traditionnels des villages visités au Sud, à l'Est et à l'Ouest de la Côte d'Ivoire pour leur disponibilité. A tous ceux qui de près ou de loin ont apporté leur soutien à la réalisation de ce rapport, nous leur présentons nos sincères remerciements.

3-0- ABREVIATIONS

Al. : Alinéa

Art. : Article

BICE: Bureau International Catholique de l'Enfance

Bull. Civ. : bulletin civil

BIT : Bureau International du Travail

C.A.D.E : Charte Africaine sur les Droits et le bien-être de l'Enfant

C.D.E : Convention sur les Droits de l'Enfant

C.A : cour d'appel

CAA : cour d'appel d'Abidjan

CAT : cour d'appel et tribunaux

C.E : conseil d'Etat

Ch. : chambre

Cie : compagnie

Civ. : civil

Com : commercial

CNDJ : Centre National de Documentation Juridique

COM : centre d'observation des mineurs

C.P : code pénal

C.P.P : code de procédure pénale

CS : cour suprême

CSR : cour suprême chambres regroupées

D. : Dalloz

Déc. : Décembre
éd. : édition
Form. Pén. : formation pénale
JCP : Jurisclasseur Périodique
JORCI : Journal Officiel de Côte d'Ivoire
Jud. : Judiciaire
MACA : Maison d'Arrêt et de Correction d'Abidjan
Mr : Monsieur
N° : numéro
NEA : Nouvelle Edition Africaine
OIT : Organisation Internationale du Travail
ONU : Organisation des Nations Unies
OUA : Organisation de l'Unité Africaine
Oct. : Octobre
Op.cit. : ouvrage précité
P : page
Rec. : Recueil
R.ID : revue ivoirienne de droit
Sect. : section
Sept. : Septembre
Suiv. : suivant
TPI : tribunal de première instance
Trib. : Tribunal
UA : Unité Africaine

4-0- LISTE DES TABLEAUX

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5-0- INTRODUCTION GENERALE

Soulever la problématique des droits de l'enfant par l'examen de la législation d'un pays semble inadéquat mais important au regard des graves violations constatées à travers le monde sur cette tranche de population très vulnérable. En effet depuis son accession à l'indépendance le 7 Août 1960, la Côte d'Ivoire s'est dotée d'une administration juridique inspirée ou héritée du colonisateur Français. La loi fondamentale de 1960 révisée le 1^{er} août 2000 proclame la supra constitutionnalité des conventions internationales dès leur ratification par la République de Côte d'Ivoire.

Courant 1999, une interpellation des élus Américains au sujet de la maltraitance des enfants dont l'âge varie entre cinq (5) et dix-sept (17) ans dans les plantations de cacao en Côte d'Ivoire a failli remettre en cause l'ordonnement juridique ivoirien en matière de protection des droits de l'Enfant. Il s'agit des pires formes de travail des enfants inscrit dans la convention 182 de l'O.I.T. Les Américains, partenaires commerciaux privilégiés des pays africains producteurs de cacao décident dans un protocole dénommé Harkin-Engel de soumettre le cacao de Côte d'Ivoire et du Ghana à un processus de certification. Les objectifs du protocole sont nobles en ce sens qu'ils militent pour la restauration des droits de l'Enfant et la compétitivité du cacao ivoirien au regard de la donne internationale. La certification est donc inévitable pour l'épanouissement du paysan dans son cadre environnemental. C'est dans ce contexte que s'inscrit le présent rapport instruit par le département payson de Tulane university avec la collaboration de ses partenaires de l'Organisation Africaine de la Santé (O.A.S) domiciliée à Bobo Dioulasso au Burkina faso.

Quelle est la place des Droits de l'Enfant dans la législation et les pratiques coutumières en Côte d'Ivoire ?

Cette interrogation constitue la trame de ce rapport dont la finalité loin d'être un procès contre une législation d'un pays souverain, devrait nous permettre de répondre à la question suivante: la législation ivoirienne en matière des Droits de l'Enfant est-elle complète ou contient-elle des insuffisances au regard des textes

internationaux ?

Cette noble exigence des initiateurs de ce rapport nous amène à relever minutieusement tous les textes pertinents contenus dans l'ordonnancement juridique de Cote d'Ivoire en matière de la protection des droits de l'enfant. Leur applicabilité dans le droit positif paraît pour nous une exigence soulever.

Nous n'oublierons pas de jeter un regard sur les pratiques coutumières en matière de la protection des Droits de l'Enfant.

6-0- METHODOLOGIE

Le rapport sur les droits de l'Enfant dans la législation et les coutumes en Côte d'Ivoire nous a permis de mener la démarche méthodique suivante :

1- Recenser les lois pertinentes, jurisprudences et autres documents se rapportant aux droits de l'Enfant.

a) Recherche Bibliothécaire

En vue de déceler les lois pertinentes, doctrines et jurisprudences, nous avons été amené à fréquenter des bibliothèques de référence en matière juridique. Les bibliothèques dont les noms suivent nous ont été d'un grand apport :

- Centre National de documentation juridique sise aux II plateaux, Immeuble pyramide, 2e étage Boulevard Botreau Roussel.
- Centre National de documentation juridique sise à Cocody aux II plateaux, Boulevard Latrine face à la Chapelle St. Jacques.
- Centre Ivoirien de Recherche Juridique (CIREJ) sis à Cocody non loin de l'Hôtel Ivoire.
- La Bibliothèque Universitaire Centrale (BUC) de l'Université d'Abidjan Cocody

Cette recherche nous a permis de recenser des lois pertinentes relatives aux Droits de l'Enfant.

Pour le complément de la documentation, des institutions comme l'UNICEF et le BIT nous a prêté main-forte en nous octroyant des documents importants relatifs à la protection des Doits de l'Enfant.

b) Avis des experts du Droit et Responsables d'Organisations du Droit Humanitaire

Cette étape a eu pour souci d'enrichir notre documentation par l'avis des experts du Droit sur la question des droits de l'Enfant. Nous avons eu à rencontrer les experts repartis selon leurs spécialités :

5 professeurs d'université

3 magistrats dont un spécialiste des droits de l'Enfant

3 avocats

3 responsables d'organisation de la défense des droits de l'Homme et de mouvements de défense des Droits de l'Enfant

1 Juriste économiste

1 expert de l'UNICEF

1 expert du BIT

c) Recherche sur Internet : webiographie

Cette recherche a été d'un complément utile surtout en matière des textes Internationaux.

2-Des voyages dans le milieu rural

-Du 16 au 18 juillet 2008 -ADZOPE (région du sud de Côte d'ivoire)

-Du 21 au 22 juillet 2008-ABENGOUROU (région de l'est de la Côte d'ivoire)

-Du 24 au 26 juillet 2008-ISSIA (région du centre ouest de la Côte d'ivoire)

-Du 2 au 4 août 2008-DALOA (région du centre ouest de Côte d'ivoire).

Ces régions ont en commun la culture du cacao.

Au total, nous avons eu à visiter sept (7) villages. Ce sont :

Massandji, Assikoi (Adzopé) ; Ebilassokro (ABENGOUROU) ; Louria, Bemadi (ISSIA) ; Kibouo, Gboguhé (DALOA).

Ces voyages nous ont permis d'une part de nous imprégner de certaines réalités vécues dans ces villages et d'avoir un regard objectif sur la coutume relative à la minorité. D'autre part Les renseignements collectés auprès des habitants de ces villages, tels

les enseignants des écoles primaires, les infirmiers ,nous ont permis de mener à bien notre étude sur le travail de l'enfant et surtout de comprendre les raisons des pires formes de travail des enfants.

7-0- Présentation des lois pertinentes et des mesures de renforcements juridiques en matière de protection des droits de l'enfant en cote d'ivoire

7-0-1- Au plan national

- **La Constitution du 1er août 2000**, qui en son article 6 dispose que l'Etat assure la protection des enfants. L'article 3 interdit le travail forcé ;
- **La Loi N ° 70-483 du 7 août 1970 sur la minorité**, contenant des dispositions qui obligent les parents à protéger leurs enfants. ;
- **La Loi portant code pénal ivoirien de 1970**, qui en son article 365 punit l'abandon d'enfant, en son article 370 punit l'enlèvement de mineurs, et ses articles 376 et 378-2 punissent l'atteinte à la liberté individuelle ;
- **La Loi N ° 95-515 du 12 janvier 1995, portant code du travail**, modifiée par **la loi n°97 400 du 11 Juillet 1997**. Elle prescrit en son article 3 une interdiction générale et absolue du travail forcé ;
- **La Convention collective interprofessionnelle du 20 juillet 1977** ;
- **Décret N° 2004-206 du 11 mars 2004** portant création du Comité Directeur National (CDN) du Programme International pour l'abolition du travail des enfants, dénommé IPEC/BIT Côte d'Ivoire ;

- **Décret N° 2001-467 du 25 juillet 2001** portant Création du Comité National de Lutte contre le Trafic et l'Exploitation des Enfants (CNLTEE), composé de neuf (9) ministères techniques, d'ONG nationales et internationales, de la société civile et de partenaires au développement ;
- **Arrêté N° 8792 du 09 août 2004** portant Création de la Cellule Focale de Lutte contre le Travail des Enfants au sein du Ministère de la Fonction Publique et de l'Emploi (MFPE) (Août 2004) ;
- **Arrêté N°10915 du 28 septembre 2004 du MFPE**, portant nomination des membres du Comité Directeur National du Programme IPEC/Côte d'Ivoire ;
- **Arrêté N° 2250 du 14 mars 2005 du MFPE** définissant les travaux dangereux interdits aux moins de 18 ans, en application de la convention N° 182 de l'OIT ;
- **Arrêté N°309 MINAGRI/DGPDA du 16 septembre 2005**, portant création d'une Cellule Focale de Coordination de la Lutte contre le Trafic, le Travail et l'Exploitation des Enfants dans la culture du Cacao et dan l'agriculture commerciale ;
- **Arrêté N°310 MINAGRI/DGPDA du 16 septembre 2005**, portant nomination du Coordonnateur de la Cellule Focale de Coordination de la Lutte contre le Trafic, le Travail et l'Exploitation des Enfants dans la culture du Cacao et dans l'agriculture commerciale ;
- **Arrêté N° 84/P. OUME/SG/D1 du 27 décembre 2004**, portant création du Comité Départemental de Suivi du Travail des Enfants (CDSTE) d'Oumé ;

7-0-2- Au plan international

La Côte d'Ivoire a souscrit aux engagements internationaux suivants :

- Décret du 21 novembre 1960 portant signature de la **Convention N ° 29 de l'OIT du 28 juin 1930 relative au travail forcé;**
- Décret N° 90-1162 du 28 septembre 1990 portant signature de **la Convention des Nations Unies Relative aux Droits de l'Enfant du 20 novembre 1989;**
- **Accord bilatéral Côte d'Ivoire – Mali**, en matière de lutte contre le trafic transfrontalier des enfants (septembre 2000);
- **Déclaration conjointe Harkin – Engel** – Industrie du chocolat du 1 er juillet 2005 ;
- Décret N° 2002-47 du 21 janvier 2002 portant signature de la **Charte Africaine des Droits et du bien être de l'Enfant de juillet 1990;**
- Décret N° 2002-53 du 21 janvier 2002 portant signature de la **Convention N ° 138 de l'OIT du 26 juin 1973, relative à l'âge minimum d'admission à l'emploi;**
- Décret N° 2002-55 du 21 janvier 2002 portant signature de la **Convention N ° 182 de l'OIT du 17 juin 1999, relative à l'interdiction des pires formes de travail des enfants;**
- **Mémorandum d'accord Côte d'Ivoire – OIT du 25 Août 2003** pour la participation au programme IPEC (Programme International pour l'Elimination du Travail des Enfants), dans le cadre de la mise en œuvre de la convention **N° 182;**
- **Accord multilatéral de coopération en matière de lutte contre la traite des enfants en Afrique de l'Ouest**, impliquant plusieurs neuf (9) pays d'Afrique Occidentale (juillet 2005).

7-0-3 Renforcement du cadre institutionnel

-Création du Ministère de la Famille, de la Femme et de l'Enfant (octobre 2000) ;

-Création du Ministère des Droits de l'Homme (avec une sous direction chargée des personnes vulnérables, dont les enfants) (Octobre 2000) ;

- Création du Comité National de Lutte contre le Trafic et l'Exploitation des Enfants (CNLTEE), composé de neuf (9) ministères techniques, d'ONG nationales et internationales, de la société civile et de partenaires au développement ;

- Création de la Cellule Focale de Lutte contre le Travail des Enfants (au sein du Ministère de l'Emploi et de la Fonction Publique) (Août 2004) ;

- Création du comité Directeur National de Lutte contre le Travail des Enfants (CDNLTE) (septembre 2004) ; ses démembrements sur le terrain seront bientôt installés ;

-Installation du comité de pilotage du Projet pilote SSTE (décembre 2004) ;

- Création d'une Cellule Focale de Coordination de la Lutte contre le Trafic, le Travail et l'Exploitation des Enfants dans la culture du Cacao et dan l'agriculture commerciale

- Création et installation du Comité Départemental de Lutte contre le Travail des enfants d'Oumé (janvier 2005) ;

- Création du comité de pilotage du Système de Suivi du Travail des Enfants en vue de la certification du processus de production du cacao (mars 2007).

8-0-Tableau (n°1) récapitulatif des conventions internationales pertinentes et accords internationaux ratifiés par la Côte d'Ivoire en matière de protection de l'enfance.

TEXTES INTERNATIONAUX RATIFIES PAR LA COTE D'IVOIRE EN MATIERE DE PROTECTION DES DROITS DE L'ENFANT.

- Décret du 21 novembre 1960 portant signature de la Convention **N ° 29 de l'OIT** du 28 juin 1930 relative au travail forcé;
- Décret N° 90-1162 du 28 septembre 1990 portant signature de la Convention des Nations Unies Relative aux Droits de l'Enfant du 20 novembre 1989;
- Accord bilatéral Côte d'Ivoire – Mali, en matière de lutte contre le trafic transfrontalier des enfants (septembre 2000);
- Déclaration conjointe Harkin – Engel – Industrie du chocolat du 1er juillet 2005
- Décret N° 2002-47 du 21 janvier 2002 portant signature de la Charte Africaine des Droits et du bien être de l'Enfant de juillet 1990;
- Décret N° 2002-53 du 21 janvier 2002 portant signature de la Convention **N ° 138 de l'OIT du 26 juin 1973**, relative à l'âge minimum d'admission à l'emploi;
- Décret N° 2002-55 du 21 janvier 2002 portant signature de la Convention **N ° 182 de l'OIT du 17 juin 1999**, relative à l'interdiction des pires formes de travail des enfants;
- Mémoire d'accord Côte d'Ivoire – OIT du 25 Août 2003 pour la participation au programme IPEC (Programme International pour l'Elimination du Travail des Enfants), dans le cadre de la mise en œuvre de la convention **N° 182**;
- Accord multilatéral de coopération en matière de lutte contre la traite des enfants en Afrique de l'Ouest, impliquant plusieurs neuf (9) pays d'Afrique Occidentale (juillet 2005).

***Commentaire du tableau (n° 1)**

Le 20 novembre 1959, l'Assemblée Générale des Nations Unies adoptait la déclaration des droits de l'Enfant. Ceci, pour témoigner de l'intérêt ô combien important de la communauté internationale pour l'enfant en tant qu'être particulièrement vulnérable, qui a besoin d'une protection appropriée. Car sans aucun doute, l'enfant, en tant qu'être humain, a été déjà pris en compte par la déclaration universelle des droits de l'Homme de 1948. En effet, la déclaration universelle des droits de l'Homme a proclamé que l'enfant a droit à une aide et à une assistance spéciales. Proclamation rappelée par la convention sur les droits de l'Enfant. Cette nécessité d'accorder une protection spéciale à l'enfant avait été précédemment énoncée dans la déclaration de Genève de 1924 sur les droits de l'Enfant.

Le caractère récurrent de la question de l'enfance suscite toujours des réactions de la part de la communauté internationale, dans sa quête de protection et de bien-être de l'enfant. Aussi, le 20 Novembre 1989 une autre Assemblée Générale des Nations Unies dans sa résolution 44/25 adopta-t-elle la convention sur les droits des enfants dite C.D.E qui entra en vigueur le 02 Septembre 1990.

Cette convention adoptée par la cote d'ivoire, offre une vision globale de la situation de l'enfant. Elle traite dans le même texte de toutes les questions relatives à la personne de l'enfant. Cette nouvelle conception globale de l'enfant fait de ladite convention, aujourd'hui, le texte fondateur de tous les droits de l'enfant. C'est de ce texte que vont découler tous les autres instruments internationaux relatifs à l'enfant, publiés depuis 1989. Cette convention va donc être considérée comme la norme de référence en matière de protection de l'enfant. D'ailleurs, à ce jour, tous les pays du monde à l'exception de deux, les Etats Unies et la somalie, l'ont ratifiée.

Emboitant le pas aux Nations Unies, l'Organisation de l'Unité Africaine (O.U.A), aujourd'hui Union Africaine (U.A) lors de sa 26^{ième} Conférence des chefs d'Etat en Juillet 1990 adopta la Charte Africaine des Droits et le bien-être de l'Enfant dite C.A.D.E. Celle-ci entra en vigueur en Novembre 1999. La charte africaine veut non seulement appuyer les Nations Unies dans leur combat mais, aussi

et surtout, tenir compte de certaines réalités propres aux pays africains dans cette quête de la protection et du bien-être de l'enfant.

Ces deux normes internationales dans leur contenu présentent plusieurs similitudes même si la charte africaine présente quelques particularités propres. En effet, la charte africaine a été modelée sur la convention sur les droits de l'enfant. Aussi, les deux normes partagent-elles des principes clés : les principes fondamentaux de l'application des droits reconnus aux enfants. Il s'agit des principes de la non discrimination, de l'intérêt supérieur de l'enfant, du droit à la vie, à la survie et au développement de l'enfant et, enfin, celui de la participation de l'enfant. Les deux normes relatives à la protection de l'enfant couvrent les principales catégories de droits reconnus à tout individu à savoir, les droits civils et politiques que sont les droits au nom, à la nationalité, à la liberté d'expression, à la protection de la vie privée) etc., les droits économiques, sociaux et culturels dont les droits aux loisirs, à la santé, aux services médicaux, à l'éducation etc.). Elles mettent en exergue les droits de protection spécifiques aux enfants à savoir la protection contre l'exploitation économique et sexuelle, l'enlèvement d'enfants etc.

A côté de ces droits sensiblement identiques contenus dans les deux textes, la charte africaine sur les droits et le bien-être de l'enfant contient néanmoins, des dispositions qui marquent une certaine rupture d'avec la convention sur les droits de l'enfant et laisse apparaître ainsi sa spécificité pour tenir compte de certaines réalités particulières aux pays africains. Il y a par exemple l'interdiction des pratiques sociales et culturelles néfastes au bien-être, à la dignité et au développement normal de l'enfant notamment les mariages précoces ou forcés d'enfants, la contrainte d'enfants à la mendicité. Néanmoins, il faut noter que le législateur ivoirien, dans sa quête de protection de l'enfant a pris en compte tant la personne de l'enfant que ses biens à travers **la loi n°70-483 du 3 Août 1970 relative à la minorité**. Cela marque une certaine avancée du législateur ivoirien sur le législateur international. Car le législateur ivoirien a compris que, même le mineur peut aussi avoir des biens qu'il faut aussi protéger ; cela y va de sa subsistance.

Par ailleurs, à côté des droits reconnus aux enfants, la charte africaine sur les droits et bien-être de l'enfant édicte un certain nombre de devoirs que tout enfant doit avoir envers sa famille, la société, l'Etat et la communauté internationale (**art. 31 de la C.A.D.E**). La question de la pertinence de la proclamation de devoirs, considérés comme découlant des valeurs traditionnelles et culturelles avait été évoquée pour la Charte Africaine des Droits de l'Homme et des Peuples. Cette question intéresse également les enfants qui ont besoin d'une protection spéciale à cause de leur vulnérabilité.

Ces deux normes, comme toutes les conventions internationales, pour leur effectivité dans les différents Etats, mettent à la charge de ceux-ci des obligations en les engageant à prendre toutes les mesures législatives, administratives et autres nécessaires pour mettre en oeuvre ou donner effet aux dispositions qu'elles contiennent. Il va sans dire que la protection de l'enfant avant d'être une question d'ordre international est d'abord d'ordre national.

Les Etats sont donc invités à prendre toutes les mesures nécessaires pour promouvoir et protéger les droits et le bien-être de l'enfant.

Il convient de faire remarquer que les textes internationaux utilisent le terme enfant pour désigner l'individu qui n'a pas atteint dix-huit ans (**art.1 de la C.D.E et art. 2 de la C.A.D.E**), alors que la loi ivoirienne sur la minorité en son article 1 définit le mineur comme l'individu de l'un ou l'autre sexe qui n'a pas atteint vingt et un ans accomplis. Il y a donc une divergence entre les textes internationaux et la loi ivoirienne quant à l'étendue de la minorité. Mais, aux termes de **l'article 87 de la constitution du 1^{er} Août 2000 « Les traités ou accords régulièrement ratifiés ont, dès leur publication, une autorité supérieure à celle des lois.... »**. La définition donc de la minorité à retenir est celle des normes internationales. La Côte d'Ivoire a-t-elle pris aussi un engagement solennel en ratifiant les normes internationales relatives à l'âge minimum du travail de l'enfant (**convention 138 de l'O.I.T**) et notamment celle qui a trait à l'interdiction des pires formes de travail des enfants (**convention 182 de l'O.I.T**).

Les articles 6 et 7 du préambule de la convention sur les droits de l'enfant mettent en exergue le rôle fondamental de la famille dans la croissance, la protection et le développement de l'enfant en affirmant que la famille est l'unité fondamentale de la société et le milieu de prédilection du développement et du bien-être de tout ses membres y compris les enfants. Aussi, l'enfant pour l'épanouissement harmonieux de sa personnalité doit-il grandir dans le milieu familial et c'est à lui qu'incombe la responsabilité principale de sa protection. Cela est mis en exergue par la loi sur la minorité en cote d'ivoire.

9-0- Des définitions de l'enfant et de son âge minimum de travail

Il convient de nous accorder dans ce chapitre sur la définition exacte et légale de la notion de l'enfant et de l'âge réel du travail de l'enfant. Ce souci nous amènera successivement à explorer ces notions tant sur le plan du droit international, de la législation ivoirienne et bien évidemment au niveau des pratiques traditionnelles en Côte d'Ivoire.

9-1- Définition de l'enfant selon les conventions internationales

La Convention Internationale relative aux Droits de l'Enfant (C.D.E) des Nations Unies 1989 en son article premier(1er), définit l'enfant comme tout être humain âgé de moins de 18 ans, sauf si la majorité est atteinte plutôt en vertu de la législation qui lui est applicable.

Cette définition de la C.D.E. a été reprise par **la convention 182 de l'Organisation Internationale de Travail de 1999 relative aux pires formes de travail des enfants** .Elle définit en effet l'enfant comme étant tout individu de moins de 18 ans. La même définition est contenue dans la **Charte Africaine des Droits et du Bien-être de l'Enfant (C.A.D.E) en son article 2.**

L'âge de la majorité conventionnelle est donc de 18 ans.

9-2- De la définition conventionnelle de l'âge minimum de travail de l'enfant.

L'âge minimum de travail de l'enfant au terme **des articles 2-3°-4° de la Convention C138 de l'OIT** est fixé à quatorze (14) ans.

Quid de la législation en vigueur en Côte d'Ivoire ?

9-3- Définition de l'enfant selon la législation en vigueur en Côte d'Ivoire.

La législation Ivoirienne donne plusieurs cas de définition de la notion de mineur.

a- Majorité civile

A la lecture des textes internationaux, le terme enfant est utilisé pour désigner l'individu qui n'a pas atteint dix-huit ans (**art.1 de la C.D.E et art. 2 de la C.A.D.E, la convention 182 de l'O.I.T**), alors que la loi Ivoirienne sur la minorité en son article 1er définit l'enfant comme l'individu de l'un ou l'autre sexe qui n'a pas atteint vingt et un (21) ans accomplis. On parle alors de la majorité civile.

b- Majorité politique et la majorité pénale

La majorité politique aux termes de **l'article 3 de la loi n° 2000-514 du 1er Août 2000** portant code électoral et la majorité pénale aux termes de **l'article 756 du code de procédure pénale** sont fixées à dix-huit ans (18) , en Côte d'Ivoire.

9-4-Remarques et recommandations sur les définitions de l'enfant et de son âge minimum de travail

Il convient de faire remarquer que les deux textes internationaux utilisent le terme enfant pour désigner l'individu qui n'a pas atteint dix-huit ans (**art.1 de la C.D.E et art. 2 de la C.A.D.E**), alors que la loi ivoirienne sur la minorité en son article 1 définit le mineur comme l'individu de l'un ou l'autre sexe qui n'a pas atteint vingt et un ans accomplis. Il y a donc une divergence entre les textes internationaux et la loi ivoirienne quant à l'étendue de la minorité. Mais, aux termes de **l'article 87 de la constitution du 1^{er} Août 2000** « Les traités ou accords régulièrement ratifiés ont, dès leur

publication, une autorité supérieure à celle des lois.... ». La convention sur les droits de l'Enfant et la charte africaine sur les droits et bien-être de l'enfant ayant été ratifiées et publiées, les lois ivoiriennes, même antérieures à elles, doivent se conformer à elles. La définition donc de la minorité à retenir est celle des normes internationales. Dès lors, il y a une nécessité à réviser l'article 1 de la loi sur la minorité pour, non seulement le mettre en conformité avec ces normes internationales mais aussi pour uniformiser la notion de la minorité dans le droit ivoirien. Car, il faut le noter, la majorité politique aux termes de **l'article 3 de la loi n° 2000-514 du 1^{er} Août 2000 portant code électoral** et la majorité pénale aux termes de **l'article 756 du code de procédure pénale**, sont fixées à dix-huit ans, en Côte d'Ivoire. Alors que la majorité civile demeure à vingt et un ans.

L'uniformisation des majorités s'impose car si on estime qu'à dix-huit (18) ans on est suffisamment conscient pour comprendre et répondre de ses actes ainsi que de participer à la vie de l'Etat en élisant ses représentants, il n'y a pas de raison qu'on ne puisse pas être capable de s'occuper de ses propres affaires.

9-5- De la définition de l'âge minimum de travail de l'enfant dans la législation ivoirienne.

L'article 23.8 du code du travail dispose que « les enfants ne peuvent être employés dans une entreprise avant l'âge de 14 ans... ».le législateur ivoirien est dans ce cas en phase avec la **convention 138 de l'O.I.T.** L'objectif du législateur international en adoptant une telle mesure est claire : protéger l'enfant et assurer son développement. Objectif précisé d'ailleurs par la **recommandation R146 sur l'âge minimum dans son préambule à ses alinéas 3 et 4.** C'est donc tout en poursuivant ce même objectif de protection du mineur que le législateur ivoirien a fixé l'âge minimum d'admission de l'enfant à l'emploi à quatorze ans. Mais il est regrettable de constater que son respect en est tout autre. En effet, selon les statistiques de l'Unicef en Côte d'Ivoire 250 millions d'enfants de moins de quatorze ans travaillent à travers le monde dont 30% en Afrique. En Côte d'Ivoire, on en dénombre 250 milles .Ce constat pourrait avoir essentiellement deux raisons.

La première raison est d'ordre légal. La disposition portant fixation de l'âge minimum d'admission à l'emploi est limitée dans son domaine d'application. En effet, **l'article 23.8 code travail** dispose que les enfants ne peuvent être employés dans une entreprise même comme apprenti, avant l'âge de quatorze ans. Le domaine donc d'application de cette disposition est l'entreprise c'est-à-dire une entité de production organisée. En dehors alors de l'entreprise, cette disposition ne semble pouvoir avoir application. Pourtant, s'il y'a bien un milieu dans lequel l'enfant travail avant l'âge de quatorze ans, c'est bien le secteur informel qui se traduit par exemple par le travail de domestique chez des particuliers, les petits commerces ⁹⁰ etc. y compris l'artisanat. Cette insuffisance pourrait être comblée par la généralisation du domaine d'application de la disposition à tous les secteurs d'activité ou à défaut, par l'élaboration d'une loi portant interdiction formelle du travail de l'enfant avant l'âge de quatorze ans quelque soit le secteur d'activité.

La seconde raison est d'ordre social et relève de la pauvreté qui amène les enfants à travailler pour aider leurs parents à faire face dans une certaine mesure aux charges de la maison. Ceux-ci sortent de l'école très tôt ou même parfois ne sont pas du tout scolarisés. La scolarisation n'étant pas légalement obligatoire en Côte d'Ivoire.

Cette inobservation de l'âge limite d'admission de l'enfant au travail réduit considérablement la protection de celui-ci du point de vue de son développement. Pourtant, l'un des objectifs de la communauté internationale est de permettre aux adolescents d'atteindre le plus de développement physique et mental possible.

9-6- La définition de l'enfant selon la tradition

L'enfant se définit comme tout être humain de l'un ou l'autre sexe âgé de moins de 18 ans (garçon) et moins de 15 ans (fille) selon les cas.

Au-delà de la notion naturelle de l'enfant, il convient de retenir que la notion d'enfant s'apprécie notamment sur le plan culturel ; en effet est enfant toute personne qui n'a pas encore été initié aux rites traditionnels creuset des valeurs coutumières. Dans le cas

d'espèce, cette personne est en marge des jouissances des droits réservés uniquement aux majeurs. Il s'agit des droits au mariage, le droit à la participation à des cérémonies traditionnelles familiales ou communautaires, le droit de jouissance du patrimoine foncier, le droit à la parole à toute cérémonie officielle etc....

L'âge initiatique s'inscrit entre 18 et 21ans.

9-7- De la définition de l'âge minimum de travail de l'enfant dans le milieu traditionnel

En Afrique de façon générale, le travail des enfants s'inscrit dans un contexte culturel de pérennisation des valeurs et fait partie intégrante du processus de socialisation et d'éducation de l'enfant. En effet, l'enfant est soumis à un travail d'apprentissage remarquable par son caractère léger.

Un travail léger est celui qui ne nuit pas à la santé de l'enfant sur le plan mental, physique et social. Il n'affecte pas non plus la scolarisation de l'enfant. Il s'agit des petits travaux domestiques, les travaux d'observation dans les métiers. Comme l'artisanat, la mécanique, les mines, l'agriculture etc. Ici l'âge de travail part de 5 à 13ans.

Cependant depuis quelques années, avec l'accentuation de la crise économique le travail des enfants a fait irruption hors de ce cadre de socialisation pour être happé par l'économie monétaire et ses formes les plus néfastes aboutissant même à l'exploitation de l'enfant. On parle de travaux dangereux ou pires formes de travail.

Les travaux dangereux sont ceux qui nuisent aux enfants sur le plan mental, physique, ou moral et qui peuvent avoir un effet négatif sur le développement mental, physique et social et affectent leur scolarité en les privant de l'opportunité d'aller à l'école ou en les obligeant à quitter l'école prématurément. La liste des travaux dangereux est exhaustive.

Dans les milieux ruraux agricoles, l'âge normal et opérationnel de travail est de 17ans (travaux permanent et moins difficile), plus de 25ans (travaux dangereux).

De nos jours et cela de façon abusive certains paysans dans le secteur de la cacaoculture astreignent des enfant dont l'âge varie

entre 5 à 17ans à des activités dangereuses.(voir tableau des travaux dangereux interdits par le gouvernement de cote d'ivoire)

10-0 – La protection de l'enfant au sein de sa famille.

En Cote d'Ivoire la notion de famille a subi un bouleversement suite à la colonisation et à l'avènement du droit moderne. De la famille élargie on est arrivé à la famille nucléaire regroupant le père, la mère et les enfants. Aussi, le législateur ivoirien va-t-il confier la protection et le bien-être de l'enfant au premier chef à ses parents c'est-à-dire ses père et mère. Néanmoins, le législateur a prévu la situation où les parents du mineur viendraient à faillir à leur mission de protection ou à être en état de ne pouvoir l'assumer.

Les parents étant les premiers responsables de leurs enfants, ils leur incombent donc au premier chef de les protéger. L'enfant est un être évolutif qui naît et qui grandit. Durant les différentes étapes de sa vie, ses parents doivent être présents pour lui apporter tous les soins et attention nécessaires afin de lui assurer non seulement la vie mais aussi de guider ses pas dans un monde où son extrême vulnérabilité physique et psychologique ne lui permettent pas de s'accomplir seul. Ses parents doivent aussi donc assurer son développement.

10-1-La protection de l'enfant relativement à son développement

Le mineur à cause de son manque de maturité psychologique et physique dû à son jeune âge a une condition juridique particulière. C'est l'incapacité d'exercer lui-même les droits qui lui sont reconnus. Durant donc toute sa minorité, d'autres personnes notamment ses parents vont être investies du pouvoir d'exercer ses droits à sa place. Mieux, les parents vont être investis de droits sur le mineur aussi bien sur sa personne que sur ses biens. Ces obligations tendent à assurer à l'enfant un meilleur développement et à le préparer à l'exercice par lui-même de ses droits. Ces différents droits et obligations parentaux trouvent leur fondement légal dans la puissance paternelle, régie par la loi **n°70-483 du 3**

Août 1970 relative à la minorité. Face à l'importance mais surtout à la lourdeur de la tâche à eux confiée, l'Etat apporte son concours aux parents dans son accomplissement.

a- définition et portée de la puissance paternelle pour l'enfant

La puissance paternelle est l'ensemble des droits reconnus au père et mère sur la personne et les biens de leurs enfants mineurs pour leur permettre d'accomplir les obligations qui leur incombent. Ainsi, se définit la puissance paternelle aux termes de l'**article 3 de la loi sur la minorité**. De par cette définition, l'on note que la puissance paternelle est le fondement légal de tous les droits que peuvent avoir les parents sur leurs enfants, ainsi que celui de toutes les actions parentales à l'endroit du mineur. La puissance paternelle appartient au père et à la mère aux termes de l'article 5 de la loi sur la minorité. Mais suivant les différents modes de la dévolution de son exercice, le père est mis au-devant de la mère. C'est la prééminence du père sur la mère.

Bien que la puissance paternelle appartienne au père et à la mère du mineur, son exercice ne leur incombe par tout deux en même temps. Cet exercice obéit à des règles qui fixent les modalités de sa dévolution. Ces règles donnent une prééminence du père sur la mère, ce qui n'est pas sans conséquences sur la protection à accorder au mineur.

La dévolution de l'exercice des droits de la puissance paternelle diffère selon que la filiation est légitime ou naturelle. Mais quelque soit le type de filiation, l'on note une prééminence du père sur la mère.

Aussi, dans la famille légitime pendant le mariage, les droits de la puissance paternelle sont-ils exercés par le père en tant que chef de famille (**art.6 de la loi sur la minorité**). La mère ne les exerce que dans des cas particuliers de déchéance du père ou de retrait partiel de ces droits au père. Il en va ainsi lorsque le père est hors d'état de manifester sa volonté pour une cause quelconque ou qu'il abandonne volontairement ses droits. Mais encore faut-il que cette dévolution à la mère ne se heurte pas à une décision judiciaire contraire (**art.6 al 2-1°,2°,3°de la loi précitée**). Car, même dans ces cas particuliers le juge des tutelles peut décider autrement. En

cas de divorce, la puissance paternelle est confiée à celui qui a la garde de l'enfant.

Dans le cadre de la filiation naturelle, cette prééminence transparaît lorsque la filiation est établie simultanément à l'égard des deux parents ou même en second lieu à l'égard du père dans l'année de la naissance de l'enfant. Car, ici, encore c'est le père qui exerce les droits de la puissance paternelle. La mère n'exerce véritablement la puissance que lorsque la filiation est établie à son seul égard ou encore en cas de décès du père. Cela n'est que logique, d'autant plus qu'elle est ou devient le seul parent légal de l'enfant. Néanmoins, du vivant des deux parents le juge des tutelles peut confier la puissance paternelle à celui des parents qui n'en est pas investie par la loi.

Cette prééminence du père sur la mère dans l'exercice des droits de la puissance paternelle a des conséquences.

En effet la Convention sur les Droits de l'Enfant en son **article 18** pose le principe selon lequel il doit avoir égalité de droits et de responsabilité des deux parents pour ce qui est d'élever l'enfant et d'assurer son développement. Mieux elle recommande aux Etats d'assurer au mieux la reconnaissance de ce principe. Ce principe implique que les deux parents soient mis sur le même pied d'égalité en ce qui concerne les droits et obligations sur leurs enfants mineurs. Or, le législateur ivoirien, en faisant du mari chef de famille (**art.58 de la loi sur le mariage**)^{1(*)} et le titulaire principal de la puissance paternelle (**art.6 al 1 in limine de loi sur la minorité**), lui confère le pouvoir de décision dans l'exercice des droits et dans l'exécution des obligations relatifs à la puissance paternelle.

Ainsi, la mère qui est censée être aussi responsable du mineur que le père se trouve reléguée au second plan (**art.6 al 2 de la loi sur la minorité**). Pourtant, il n'est pas toujours sûr que le père puisse mieux apprécier l'intérêt de l'enfant que la mère. Cette relégation de la mère au second plan, trouve sa source dans l'inégalité faite entre l'homme et la femme dans la société africaine en générale et la société ivoirienne en particulier. Cette discrimination donne, en effet, des droits à l'homme sur la femme. C'est cette même inégalité

qui avait conduit le législateur de 1964 à ne permettre à la femme mariée d'exercer le commerce qu'avec l'autorisation de son mari.

Pour remédier à cette inégalité de sexe, le législateur de 1983 a apporté des modifications fondamentales dans la gestion du ménage surtout des biens. Il a institué alors à l'égard de la femme mariée les biens réservés dont elle a l'administration même si ceux-ci font partie des biens communs du ménage (**art.76 nouveau de la loi sur le mariage**). Il permet aussi à la femme mariée d'exercer le commerce mieux d'exercer une profession séparée de celle de son mari sans l'autorisation préalable de celui-ci (**art.67 nouveau de loi sur le mariage**). Cependant, cette avancée vers l'égalité des sexes n'a pas touché aux questions relatives à la personne de l'enfant dans son gouvernement. Ce qui consacre une sorte d'évolution à double vitesse.

C'est justement pour tenir compte du rôle de la mère dans le développement de l'enfant que le législateur français de 1970 a abandonné la notion de puissance paternelle^{2(*)}. Cette notion tire son origine dans la *potestas* romaine c'est-à-dire un droit, un pouvoir de domination sur la personne de l'enfant donné au père en tant que chef de famille. Il a institué alors l'autorité parentale et désormais la prérogative de prendre les décisions relativement au mineur, la responsabilité vis-à-vis du mineur n'appartient plus exclusivement au père. Elle est exercée de concert par les deux parents dans l'intérêt du mineur^{3(*)}.

On peut comprendre que le législateur ivoirien de 1964 ait institué cette inégalité pour s'accommoder à sa tradition au lendemain de l'indépendance. Mais aujourd'hui, l'évolution des moeurs dans la société ivoirienne ainsi que les prescriptions des normes internationales doivent amener le législateur à emboîter le pas à son homologue français mais aussi et surtout pour continuer et achever sa mutation de 1983. Ce, dans l'intérêt supérieur de l'enfant.

Même si la loi institue une prééminence du père sur la mère dans l'exercice des droits de la puissance paternelle, elle met à leur charge des devoirs parentaux exprimés par les attributs de la puissance paternelle.

b- l'exercice des attributs de la puissance paternelle et l'intérêt de l'enfant.

Les attributs de la puissance paternelle relativement à la personne de l'enfant sont de divers ordres. Il s'agit pour les parents de donner un toit à l'enfant en fixant sa résidence. Ce qui leur confère en conséquence un droit et un devoir de garde de l'enfant (**art.4 al 1-1° de la loi sur la minorité**). Le droit de garde est fondamental et constitue selon Simler le noyau autour duquel gravitent et s'ordonnent toutes les autres prérogatives de l'autorité parentale, l'assise sur laquelle celle-ci repose et qui lui confère efficacité^{4(*)}. La fixation de la résidence de l'enfant appartient a priori dans la famille légitime pendant le mariage, au père en tant que chef de famille qui fixe la résidence de ce celle-ci (**art.60 al 1 in limine de la loi sur le mariage précitée**). Cependant, lorsque la résidence fixée par le mari présente pour la famille des dangers d'ordre physique ou moral, la femme peut, par exception, être autorisée à avoir pour elle et ses enfants une autre résidence. Bien souvent si cette séparation de résidence doit être autorisée à la femme c'est en tenant compte de l'effet que les dangers peuvent avoir sur les mineurs, c'est dire que c'est surtout l'intérêt de l'enfant qui fonde cette séparation de résidence.

Le droit de garde emporte un autre droit, celui de la surveillance de l'enfant. Les parents règlent ainsi souverainement les rapports de l'enfant avec l'extérieur, quelque soit son âge : correspondance, relations avec les tiers. Aussi, certains droits de l'enfant tels la liberté d'association, la liberté d'expression, la liberté religieuse et la protection de la vie privée prennent une proportion limitée à l'égard des parents en vertu de leur droit de surveillance.

L'exercice du droit de garde et de surveillance a un pendant qui est la responsabilité des parents du fait des enfants dont ils ont la garde édictée par **l'article 1384 al 3 du code civil**^{5(*)}. Cela impose aux parents d'exercer avec le plus grand soin et sérieux, cette obligation qui leur incombe. Et dans le même temps, cette disposition peut s'analyser comme une sanction de la défaillance du devoir de garde et de surveillance et une garantie pour les tiers.

Il est tout de même regrettable de constater que la défaillance des parents vis-à-vis de leur droit de garde explique en partie le

phénomène des enfants de la rue car à juste titre, comme le dit un auteur « garder, c'est retenir surveiller et défendre »^{6(*)}. Retenir ce n'est pas bâillonner ou enfermer l'enfant, mais plutôt lui donner le nécessaire à la vie en satisfaisant à ses besoins et en répondant à ses désirs et à son droit au développement.

C'est pour cela que le législateur a édicté d'autres obligations consistant à pourvoir à l'entretien, à l'instruction et à l'éducation de l'enfant (**art.4 al 2-2 de la loi sur la minorité**). C'est une maxime qui dit que « qui fait l'enfant doit le nourrir ». C'est sûrement en se fondant sur cette maxime que le législateur ivoirien a édicté l'obligation d'entretien de l'enfant (**art. 4-2° de La loi sur la minorité**) qui incombe aux parents. C'est la consécration légale d'une obligation naturelle.

Entretenir un enfant, ce n'est pas seulement pourvoir à sa nourriture, mais c'est aussi l'habiller, assurer son bien-être et sa santé. Cette obligation incombe au premier chef aux parents que ce soit dans la famille légitime ou dans la famille naturelle. Même si dans la famille légitime les parents contractent ensemble cette obligation par le biais du mariage (**art.52 de la loi sur le mariage**), dans la famille naturelle elle semble reposer seulement sur celui qui exerce la puissance paternelle. Dans ce cas, elle est donc tributaire de l'établissement de la filiation à l'égard des parents.

Si la situation des enfants naturels simples à l'égard desquels une filiation est établie est assez clarifiée, il n'en est pas de même pour les enfants adultérins et incestueux. Les conditions d'établissement de leur filiation sont très restrictives. Semblent encore plus restrictives les obligations de leurs parents biologiques notamment le père lorsque la filiation n'est pas légalement établie à leur égard. En effet, aux termes **de l'art 27 al 2 de la loi sur la filiation et la paternité** « les enfants adultérins et incestueux non admis en recherche de paternité pourront réclamer néanmoins des aliments à leur concepteur biologique ». Que doit on entendre par aliments ? Par aliments on entend une prestation ayant généralement pour objet une somme d'argent destinée à assurer la satisfaction des besoins vitaux d'une personne qui ne peut plus assurer ou ne peut pas assurer sa propre subsistance^{7(*)}. Définie ainsi, dans la condamnation à une pension alimentaire, doit-on inclure en ce qui

concerne le mineur, ses frais d'instruction et d'éducation ? On sait que l'obligation alimentaire prend en compte sa nourriture, sa santé, son habillement en somme tout ce que renferme l'obligation d'entretien. Mais peut-on y inclure valablement le contenu de l'obligation d'instruction et d'éducation ?

L'enfant, a besoin pour assurer son indépendance financière et son bien-être à sa majorité, d'acquérir une formation adéquate par son éducation entendue comme obligation scolaire et son instruction. De ce point de vue, l'instruction et l'éducation constituent des besoins vitaux pouvant lui permettre d'assurer sa propre subsistance. Aussi, pensons nous que le juge pour fixer la pension alimentaire suite à une action en réclamation d'aliments, si celle-ci aboutissait, devrait tenir compte de cette conception large de l'aliment. Sinon, ce serait dans une certaine mesure, donner une prime au désintéressement de l'enfant par ses géniteurs. Alors que, selon art 18 al 3 de la charte « aucun enfant ne peut être privé de son entretien en raison du statut marital de ses parents », ni de l'immoralité de ceux-ci ajouterons nous. En d'autres termes, l'enfant ne doit pas payer pour « les bêtises » de leurs géniteurs.

Pour s'assurer de la bonne exécution de leurs obligations par les parents, le législateur a institué le contrôle et la surveillance de leurs actions.

c-le contrôle et la surveillance de l'action parentale par le juge.

La puissance paternelle confère aux parents des droits mais elle fait peser aussi sur eux des charges. L'exercice de l'ensemble de ces droits et obligations doit se faire dans l'intérêt de l'enfant. Il peut arriver néanmoins que les parents soient tentés de méconnaître cet intérêt. C'est donc pour éviter ou pallier à cette situation désagréable pour le mineur que le législateur a donné la possibilité au juge de contrôler dans certains cas les décisions prises par les parents et qui affectent d'une manière ou d'une autre l'enfant.

Le but de ce contrôle n'est pas à notre sens de vider la puissance paternelle de son contenu mais plutôt de s'assurer que les parents à tout moment l'exercent dans le seul intérêt de l'enfant. Le contrôle peut intervenir en diverses occasions. C'est alors que, lorsque le parent qui exerce la puissance paternelle décide à un moment

donné de déléguer ses droits à une autre personne, le juge des tutelles doit en être informé puisqu'il devra recevoir les déclarations conjointes des deux parties, délégant et délégataire (**art. 14 de la loi sur la minorité**). Il aura là, la possibilité de vérifier justement que cette délégation se fait dans l'intérêt de l'enfant (**art. 15 de la loi sur la minorité**) et donc préserve cet intérêt ou au contraire si elle cache une autre intention.

De même, des abus peuvent survenir dans l'exercice des droits qui leur sont conférés. Tel le refus d'un parent de donner son consentement à l'adoption de son enfant alors que ce refus n'est justifié par aucune raison valable. Le juge peut connaître d'une action intentée par celui qui se propose de faire l'adoption, dirigée contre un tel refus (**art.9 de la loi sur l'adoption**)^{8(*)}. Lorsqu'il s'avère que ce parent s'est notoirement désintéressé de l'enfant au risque d'en compromettre son éducation, sa santé, sa moralité, le refus est qualifié d'abusif et le juge peut passer outre son consentement pour autoriser l'adoption (**art. 9 précité**).

Cela ne semble pas être le cas pour le refus en cas de mariage du mineur. Comme nous l'avons indiqué, les parents consentent au mariage de leur enfant lorsqu'il est encore mineur (**art.4-6° de la loi sur la minorité**). Il peut arriver qu'ils refusent de donner ce consentement. Dans ce cas, le mineur devra sûrement attendre sa majorité pour se marier sauf si ses parents changent eux-mêmes d'avis. Car la loi ne donne pas pouvoir au juge de statuer sur le refus des parents dans un tel cas. En effet, le paragraphe 2 du chapitre 1^{er} de la loi sur le mariage traitant du consentement au mariage des mineurs fait référence au consentement des parents et le cas échéant celui du tuteur. Mais, alors que le législateur ivoirien précise à l'article 8 de ladite loi que le refus du consentement du tuteur peut faire l'objet d'une action, il garde le silence quant au refus éventuel des parents. Ce silence doit à notre sens être interprété non comme un oubli mais plutôt comme une impossibilité de mener une quelconque action contre ce refus. De ce fait, le droit de consentir au mariage de leur mineur reste pour les parents un droit discrétionnaire. Cela peut être préjudiciable pour l'enfant dans l'hypothèse où les parents se seraient notoirement désintéressés de lui. Ne doit on pas permettre au juge de statuer sur le refus dans un tel cas comme en matière d'adoption. Il convient

tout de même de noter que l'adoption et le mariage sont deux institutions qui ne peuvent être rapprochées quant à leurs effets, pour le mineur. Car contrairement à l'adoption^{9(*)}, le mariage est un acte assez grave qui fera peser sur le mineur des charges assez particulières. C'est pour cela que même le mineur émancipé a besoin du consentement de ses parents pour se marier (**art.115 de la loi sur la minorité**).

Par ailleurs, lorsque les parents s'engagent dans une procédure de divorce ou de séparation de corps, possibilité leur est donnée d'en régler les effets notamment pécuniaires par une convention qui doit être homologuée par le tribunal (**art.10 ter al 2 de la loi sur le divorce et la séparation de corps**)^{10(*)}. Mais l'homologation peut être refusée si le tribunal constate que les intérêts des enfants ne sont pas suffisamment préservés^{11(*)}. C'est en cela que durant la procédure, le tribunal peut ordonner une enquête pour recueillir des informations sur la situation matérielle et morale de la famille ainsi que sur les conditions dans lesquelles vivent et sont élevés les enfants (**art.4 al 7 de la loi sur le divorce et la séparation de corps**). Renseignements qui lui permettront de décider de la garde de l'enfant.

En somme, la puissance paternelle confère des droits et obligations aux parents qui doivent être exercés et accomplis dans l'intérêt du mineur.

Dans cette mission de protection les parents ne sont pas seuls. Ils peuvent compter sur le concours de l'Etat.

*1-Loi n°64-375 du 7 Oct. 1964, relative au mariage, modifiée par la loi n°83-800 du 2 Août 1983

*2-Colombet (C), commentaire de la loi du 4 juin 1970 portant De l'autorité parentale, D.1971. chr. p 1

*3-Colombet (C), article précité

*4-Simler (P), le droit de garde de l'enfant, sa signification et son rôle au regard de l'autorité parentale RTDCiv.1972 p 685

*5-Trib. Sect. de Katiola, chbre civ. Com. 05 Mars 1987, rec. CNDJ, CAT 1996-1 p 83

*6-Leageais (R), cité par Neirinck (C), op.cit p 218

*7-Guillien (R), Vincent (J), Lexique termes juridiques, 11^{ème} éd. Dalloz, juin 1998 p 31

*8-Loi n°64-378 du 7 Oct. 1964, relative à l'adoption, modifiée par la loi n°83-802 du 2 Août 1983

*9-Pour les effets de l'adoption voir chapitre II, section I paragraphe I-B

*10-Loi n°64-376 du 7 Oct. 1964 relative au divorce et à la séparation de corps, modifiée par la loi n°83 - 376 du 2 Août 1983, modifiée par une loi de 1998

*11-Art.10 ter al 3 de la loi n°64-376 du 7 octobre 1964, relative au divorce et à la séparation de corps, modifiée par la loi n°83-376 du 2 Août 1983.

10-2-Le concours de l'Etat relativement au développement de l'enfant

a- l'Etat protège la famille pour le Bien-être de l'enfant

Entité sociale importante, la famille, regroupant en son sein les mineurs à protéger et les parents qui doivent les protéger, a elle-même aussi besoin d'être protégée. Car, il faut consolider son existence pour qu'elle puisse assurer le rôle qui est le sien dans la société. En cela, l'Etat lui assure sa protection et apporte son concours aux parents par l'assistance éducative et l'éducation.

Le milieu idéal de protection de l'enfant, c'est la cellule familiale. Aussi, pour que ce milieu familial puisse-t-il apporter toute l'attention et protection que nécessite l'état de l'enfant, il doit lui-même être protégé ainsi que le prescrit **l'article 18-1 de la charte africaine sur droits et le bien-être de l'enfant**. La famille a donc aussi besoin de protection. Sur cela, la convention sur les droits de l'enfant et la charte africaine sur les droits et le bien-être de l'enfant s'accordent^{52(*)}. La société ivoirienne a si fort bien compris cette nécessité de protéger la famille qu'elle a constitutionnalisé le principe de sa protection. **La constitution ivoirienne d'Août 2000 dispose, en effet, en son Article 5 que « la famille constitue la cellule de base de la société. L'Etat assure sa protection »**. Assurer la protection de la famille, c'est prendre toutes les mesures nécessaires pour éviter sa dislocation, lui éviter les atteintes extérieures. C'est aussi consolider les liens entre ses membres et les

amener chacun pour ce qui le concerne à accomplir les obligations et devoirs qui sont les siens afin d'assurer la bonne marche de la famille. Mais avant que faut-il entendre par famille ?

La famille au sens étroit est un groupe formé par les parents et leurs descendants ou mêmes plus restrictivement encore, par les parents et leurs enfants mineurs. Définie ainsi, la famille s'entend aussi bien de la famille légitime que de la famille naturelle c'est-à-dire celle dans laquelle les parents ne sont pas unis par les liens du mariage. La protection concerne t-elle ces deux types de famille ? La question se pose quand on sait que le législateur ivoirien a fait le choix de n'organiser que la famille légitime par l'encadrement du mariage (loi sur le mariage) et de ne reconnaître aucun effet légal à aucune autre forme d'union. Nous pensons que ces mesures doivent pouvoir s'étendre à toutes les familles naturelles où l'on peut noter une cohabitation régulière et sans discontinuité entre l'homme et la femme vivant avec leurs enfants. En d'autres termes, une famille naturelle dans laquelle l'homme et la femme vivent maritalement quoique l'union conjugale n'ait pas été célébrée. C'est une union communément appelée concubinage notoire.

Mais il n'empêche de noter que le mariage crée la famille légitime (**art.50 de la loi sur le mariage**) qui bénéficie seule de toute protection légale. C'est alors qu'ayant fait le choix de la monogamie, le législateur ivoirien sanctionne pénalement tout époux qui est encore dans les liens du mariage et qui s'engage ou qui tente de s'engager dans un autre mariage (**art.390 al 1 du C.P**). Une telle mesure vise certes à assurer le devoir de fidélité entre époux mais aussi et surtout elle vise à assurer la stabilité du couple dans la famille légitime.

Conscient de ce que la dislocation de la famille ou encore la séparation des parents d'avec leurs enfants quelqu'en soit la cause ne sont pas de nature à favoriser le plein épanouissement du mineur, le législateur pénal ivoirien interdit que la contrainte par corps puisse être exercée simultanément contre le mari et la femme même pour le recouvrement de sommes afférentes à des condamnations différentes (**art.307 du C.P.P**). Une telle mesure vise à ne pas priver les enfants simultanément de leur père et mère. Il aurait été encore plus intéressant de pousser la mesure plus loin

pour dire que les conjoints lorsqu'ils ont à leur charge des mineurs et qu'ils sont condamnés tous deux à des peines privatives de liberté ne peuvent purger concomitamment leur peine. Quitte à suspendre le délai de prescription de la peine de celui qui aura été laissé avec les enfants.

Par ailleurs, pour assurer la consolidation de la famille, le législateur ivoirien sanctionne pénalement la violation de certaines autres obligations résultant du mariage sous le chapitre de l'atteinte à la famille. Ainsi en est il de l'abandon de la résidence familiale, l'abandon d'épouse enceinte, le refus de payer ou de participer aux frais d'entretien des enfants (**art.387 du C.P**)

En plus de la protection accordée à la famille, l'Etat apporte son concours aux parents par l'assistance éducative et l'éducation.

b- l'assistance éducative et l'éducation

Il faut ajouter les questions de l'école par rapport à tous les enfants handicapés et bien portant.

Les parents comme nous l'avons sus indiqué sont les premiers responsables de l'enfant. Il leur incombe ainsi au premier chef d'assurer le gouvernement et le développement du mineur. Mais dans cette tâche, les parents ne sont pas laissés seuls. Tout autant que des mesures sont prises pour assurer plus ou moins la protection de la famille, un concours est apporté aux parents, dans cette fonction de gouvernement et développement lorsque cela s'avère nécessaire.

En effet, lorsqu'ils donnent à leurs parents ou à la personne investie du droit de garde des sujets de mécontentement très graves, par leur inconduite ou leur indiscipline, les mineurs peuvent faire l'objet de mesure d'assistance éducative (**art.10 de la loi sur la minorité**). Cette mesure d'assistance éducative, ici, vise les enfants qui par leur comportement tendent vers le franchissement du Rubicon, c'est-à-dire la commission d'infraction donc la délinquance. Il s'agit donc de mesure de prévention de la délinquance juvénile. Elle consiste à prendre des mesures pour mettre fin à l'inconduite ou à l'indiscipline du mineur. Ces mesures se résument pour la plupart à

l'admonestation de l'enfant ou au placement provisoire de celui-ci dans un centre d'éducation, sollicitées par les parents auprès du juge des enfants ; c'est dire que dans cette matière le juge ne peut s'auto saisir. Si pour l'admonestation le juge ne prend pas d'ordonnance particulière, pour le placement provisoire il prend une ordonnance de placement provisoire qui amène à conduire l'enfant dans un centre ou institution d'éducation notamment le centre de rééducation de Dabou. Ce centre initialement créé pour recevoir les mineurs coupables d'infraction et appelés à être réinsérés, reçoit aujourd'hui cette seconde catégorie de mineurs, ceux qui sont portés vers la délinquance mais n'ont pas encore franchi le pas ultime. Le fonctionnement de ce centre et les modalités de rééducation et de réinsertion de l'enfant faisant l'objet d'assistance éducative sont étudiés plus loin.

Il convient néanmoins de souligner que par cette mesure, il s'agit pour l'Etat d'assister ou de porter secours aux parents qui ayant peut-être tout essayé n'arrivent pas à ramener leur enfant sur le chemin de la bonne conduite. Néanmoins, ce n'est pas bien souvent que cette démarche ou ce procédé est utilisé soit par méconnaissance de la part des parents, soit parce que ceux-ci sont un peu trop protecteur et se refusent à faire subir à leur enfant cette épreuve. Par ailleurs, la mise en oeuvre même de la mesure souffre beaucoup de l'insuffisance de structures d'accueil, le centre de rééducation de Dabou étant le seul centre étatique habilité à cet effet.

11-0 Les dispositions légales contre les mauvais traitements des enfants.

La fréquence et le développement de cette situation n'ont pas laissé indifférente la communauté internationale. C'est en cela que la convention sur les droits de l'enfant en **son article 19 et la charte africaine sur les droits et le bien-être de l'enfant en son article 16** recommandent aux États de se pencher sérieusement sur la question et d'accorder aux enfants victimes une protection adéquate. Il s'agit d'apporter à l'enfant une protection extérieure à la cellule familiale. Mieux, il s'agit de protéger la personne de l'enfant

contre ses parents et autres qui ont sa charge.

Les mauvais traitements faits à l'enfant sont une notion assez complexe, surtout que les actes qui s'y rattachent s'accomplissent dans le cadre familial. Il convient alors d'élucider cette notion avant même d'envisager les mesures de protection accordées à l'enfant maltraité.

11-1-De la définition de la notion de mauvais traitements de l'enfant.

Il n'y a pas de définition légale de la notion de mauvais traitements dans le droit positif ivoirien. D'ailleurs, les normes internationales ne la définissent pas non plus. **L'article 21 de la loi sur la minorité** fait référence à la notion sans la définir. Néanmoins les mauvais traitements peuvent être appréhendés comme tout acte, action ou omission, commis sur la personne du mineur par ses parents ou toute personne qui a sa charge et est susceptible de porter atteinte à sa santé, à sa moralité ou à sa sécurité. Ces mêmes actes et omissions lorsqu'ils sont commis sur le mineur par une tierce personne, ils ne prennent plus le qualificatif de mauvais traitements. Ils s'inscrivent simplement dans l'ensemble des violences faites aux enfants.

De part la définition sus indiquée, il ressort donc deux éléments caractéristiques de la notion de mauvais traitements.

D'une part, les actes de mauvais traitements peuvent être des actions ou des omissions. Ces mêmes actes et omissions lorsqu'ils sont commis sur le mineur par une tierce personne, ils ne prennent plus le qualificatif de mauvais traitements. Ils s'inscrivent simplement dans l'ensemble des violences faites aux enfants.

De par la définition sus indiquée, il ressort donc deux éléments caractéristiques de la notion de mauvais traitements. D'une part, les actes de mauvais traitements peuvent être des actions ou des omissions. Des exemples sont donnés par les divers textes. Il s'agit par exemple de toute forme de violences, d'atteintes ou de brutalités physiques ou mentales, tout abandon ou négligence perpétrés sur l'enfant. C'est en somme toutes les atteintes physiques, sexuelles ou mentales qui peuvent être perpétrées sur l'enfant mais dont sont coupables ceux qui sont responsables de lui. Ce sont des infractions

qui sont pour la plupart classées au rang des infractions de droit commun et dont les qualités de mineur de la victime ou celle de parents ou de responsable de l'auteur ne constitue que des circonstances aggravantes. A cela doit être ajoutés toutes les pratiques coutumières néfastes constitutives d'obstacles au bon développement du mineur tels que les mariages précoces ou forcés et l'excision etc. Tous ces actes ont ceci de particuliers, c'est qu'ils portent atteintes à la sécurité physique et psychologique ainsi qu'à la moralité de l'enfant, en un mot ils compromettent son développement harmonieux.

D'autre part, l'autre caractéristique des mauvais traitements c'est la qualité des personnes qui s'en rendent coupables. Ces actes sont perpétrés par les parents du mineur ou de façon large, par des personnes qui ont la charge de l'enfant c'est-à-dire des personnes qui exercent sur lui tout ou partie des droits de la puissance paternelle. C'est dire que les actes de mauvais traitements s'opèrent essentiellement dans un cadre familial ou pseudo familial. Un cadre qui n'est pas favorable à la mise à nu ou au décèlement des cas de mauvais traitement.

Les mauvais traitements faits au mineur sont bien souvent une réalité difficile à déceler. Tout d'abord, la problématique de l'enfant maltraité reste un sujet délicat caractérisé par l'ignorance et la négation du problème. Actuellement il y a plus un intérêt pour les cas d'abus spectaculaires tels la pédophilie, la cruauté mentale, les abus physiques etc. mais il existe des formes de maltraitance tout aussi insidieuses, perverses et dangereuses pour le développement normal du mineur tels la négligence, les violences morales etc.

Ensuite, le problème que pose la maltraitance est limite, la limite entre la correction et la maltraitance, la limite entre le travail socialisant et le travail avilissant. La limite semble floue. Il existe alors une variation importante dans les interprétations des comportements de maltraitance. Aucun critère en soi ne permet de définir de façon absolue la maltraitance et de la distinguer des actes véritablement non sanctionnables. Même si les critères d'intention et de gravité se complètent et facilitent le diagnostic, il reste difficile dans certains cas de déterminer le seuil de l'intervention correctionnelle. Aussi, bien souvent prétextant d'un droit de correction parentale, des actes de mauvais traitements sont infligés aux enfants sous le regard complice des autres membres de la

famille qui s'abstiennent de les dénoncer soit par ignorance mais surtout par solidarité familiale.

Bien que les mauvais traitements soient souvent méconnus, des mesures de protection sont mises en place pour assurer la protection et un mieux être aux mineurs victimes.

11-2-Les mesures de protection contre les mauvais traitements des enfants

Ces mesures consistent pour l'essentiel à la sanction des auteurs. En cela une obligation est faite à tous de dénoncer ces actes. Outre les sanctions pénales qui peuvent frapper les auteurs de maltraitance, ceux-ci encourent aussi la déchéance de leurs droits de la puissance paternelle.

a-La dénonciation comme mesure de protection légale

La particulière vulnérabilité du mineur recommande qu'il soit protégé en tout lieu et en toute circonstance. Aussi, lorsqu'il est victime de mauvais traitements, des mesures doivent être prises pour mettre fin à cette situation.

La dénonciation consiste en une obligation dont il convient de préciser le contenu. En effet le cadre familial, milieu de prédilection de la perpétration des mauvais traitements, est un milieu clos de sorte que tout ce qui s'y passe semble se ranger dans ce qu'on peut appeler les affaires internes de la famille. Néanmoins, une obligation générale de dénonciation des infractions est édictée même si elles sont perpétrées entre membres de la même famille.

Les actes de mauvais traitements sont des actes qui pour l'essentiel sont perpétrés dans le cadre de la cellule familiale. Aussi, ces actes ne peuvent être portés à la connaissance de l'autorité chargée de leur répression que par la dénonciation. Mais, comme nous l'avons déjà indiqué si ces actes sont difficiles à déceler, c'est parce qu'ils ne sont pas bien souvent dénoncés. Aussi, le législateur ivoirien a entrepris de faire de la dénonciation des crimes une obligation. Ainsi, toute personne qui a connaissance d'une infraction déjà tentée ou consommée est tenue sous peine de sanction de la dénoncer afin de la prévenir ou de limiter ses effets (**arts 278 et 279 du C.P**). Tout manquement à l'obligation de dénoncer un acte de maltraitance est donc constitutif d'abstention coupable, aux

termes des dispositions précitées, et sanctionné par un à trois mois de prison lorsque ces actes sont très graves et qualifiables juridiquement de crimes tels les tortures, le viol, les actes de barbaries etc. Pour les actes de maltraitance moins graves tels que l'attentat à la pudeur du mineur, la négligence etc., qualifiables de délits, les personnes qui manquent à l'obligation de dénonciation sont susceptibles d'être poursuivies sur le fondement de l'omission de porter secours à une personne en péril au regard de **l'article 352 du C.P.** L'obligation de dénonciation comporte néanmoins des limites.

b-la déchéance des droits de la puissance paternelle

Lorsqu'un parent se montre indigne par son comportement vis-à-vis de son enfant au point de mettre en danger la vie et le bien-être de celui-ci, l'enfant doit être protégé contre lui. Cette protection passe par le retrait total ou partiel des droits de la puissance paternelle sur le mineur. C'est la déchéance totale ou partielle édictée par **l'article 21 de la loi sur la minorité**. La déchéance vient donc sanctionner un comportement parental fautif mais surtout elle vise à sauvegarder l'intérêt de l'enfant. En cela, la déchéance s'analyse comme une mesure de protection de l'enfant maltraité. La déchéance vise essentiellement les titulaires de la puissance paternelle à savoir les père et mère qu'il soient légitimes, naturels ou encore adoptifs (**art.26 de la loi sur l'adoption**), et aussi toute autre personne qui en est investie. Elle peut être soit automatique et de plein droit selon **l'article 20 de la loi sur la minorité** soit facultative et donc soumise à l'appréciation du juge selon **l'article 21** de la loi précitée. Dans tous les cas, la déchéance fait suite à une condamnation pénale des parents au regard des dispositions précitées. Une condamnation dont la victime de l'infraction est l'enfant mineur de l'auteur ^{12(*)}

C'est dire que la déchéance est essentiellement conditionnée par survenir en dehors de toute condamnation pénale des parents, mais à la suite d'actes et omissions jugés comme pouvant porter atteinte à l'intégrité morale ou psychologique et la sécurité de l'enfant selon **l'article 21-7° de la loi sur la minorité**. La cour de cassation française a ainsi eu à noter que la déchéance ne constitue pas impérativement une sanction des parents mais une mesure de

protection vis-à-vis de l'enfant ; que dès lors, la reconnaissance au pénal de l'irresponsabilité pour démence des parents ne fait obstacle au prononcé de la déchéance ¹³(*)

Ici, ce qui est mis en évidence c'est l'intérêt supérieur de l'enfant dont l'appréciation est laissée au juge.

Mais, même si la déchéance s'analyse comme une mesure de protection assez efficace de l'enfant contre ses parents, il ne faut pas perdre de vue que le milieu familial et donc les parents demeurent incontestablement les meilleurs remparts du mineur contre les divers maux sociaux. C'est en cela que bien que le parent soit fautif à l'endroit de son enfant, une possibilité lui est donnée de recouvrer les droits perdus. C'est la restitution des droits de la puissance paternelle en cas de réhabilitation du parent prévue par **l'article 24 de la loi sur la minorité**. A la déchéance des droits de la puissance paternelle s'ajoute la sanction pénale.

11-3-La sanction pénale des auteurs de maltraitance

La plupart des actes et omissions que l'on regroupe sous la terminologie de mauvais traitements sont des infractions de droit commun qui peuvent être commises aussi bien sur les mineurs que sur les adultes et ce par quiconque. Ceci pour dire que les actes constitutifs de mauvais traitements dans leur incrimination ne présentent pas véritablement de particularités par rapport aux mineurs, bien que quelques unes de ces infractions soient encadrées particulièrement en faveur de l'enfant. La particularité réside plutôt dans la répression. Aussi, pour réprimer ces actes incriminés, la qualité de mineur de la victime constitue, certaines fois, une circonstance aggravante vis-à-vis de certains auteurs, notamment ceux qui n'ont aucun lien particulier avec le mineur victime (**Art 354 al 3; art 355 al 2-3° C.P**). D'autres fois, c'est la qualité de la personne auteur de l'infraction, eu égard au lien ou au rapport qui existe entre elle et la victime mineur qui est prise en compte. Le législateur ivoirien en a fait aussi une circonstance aggravante. Ainsi, lorsque les parents ou substituts parentaux, tuteur par exemple, se rendent coupables de mauvais traitements sur la personne du mineur sur lequel ils exercent la puissance

paternelle, la peine est soit portée au double soit c'est le maximum qui est prononcé (**Art 354 al 2-2°; art 363 C.P.**).

La condamnation pénale ainsi prononcée précède le plus souvent la déchéance des droits de la puissance paternelle. Cette condamnation emporte automatiquement dans certains cas la déchéance alors que dans d'autres, elle n'ouvre que la voie. Le juge ayant la faculté de prononcer ou non la déchéance ^{14(*)}

Par ailleurs, le législateur ivoirien a porté une attention toute particulière aux pratiques coutumières néfastes au développement de l'enfant. Aussi, un texte spécial a-t-il été pris pour réprimer les mariages précoces et les mutilations génitales ou excision.

11-4-Remarques et recommandations sur les dispositions légales contre les mauvais traitements des enfants

L'article 279 code pénal fait de la dénonciation en générale une obligation dont est soustrait le conjoint, les parents ou alliés jusqu'au quatrième degré inclusivement, du coupable de l'infraction. Or, dans le cas particulier de la maltraitance, qui mieux que le conjoint, les parents ou alliés est bien placé pour être au courant des actes et donc à même de les dénoncer. La non application de cette disposition aux personnes sus indiquées dans le cas particulier de la maltraitance est regrettable car cela réduit considérablement les possibilités de connaître, de prévenir et de sanctionner ces actes ; donc les possibilités de mieux protéger le mineur maltraité.

Par ailleurs, permettre aux personnes qui, vivant sous le même toit, qui connaissent les faits de maltraitance, de ne pas les révéler parce qu'eux- mêmes sont unies au coupable par un lien étroit de parenté ou d'alliance, c'est trop souvent laisser l'enfant sans défense, aux prises avec un milieu « familial » où l'indifférence parfois assez lâche, le dispute à la haine la plus agressive. C'est aussi, accepter une certaine contradiction, puisque, c'est admettre l'abstention de la part de personnes qui peuvent, d'un autre point de vue purement civiliste, être tenues de donner soins et aliments à l'enfant

Ici, la primauté est accordée au devoir de cohésion familiale qui pèse

sur chaque membre d'une famille par rapport à la protection de l'enfant. Le législateur français avait adopté la même position dans une loi de 1945 sur la répression des crimes et délits commis contre les enfants. Cependant depuis **la loi du 13 Avril 1954, en son article 1er**, il a changé de position en faisant de la dénonciation une obligation pour tout individu en ce qui concerne les crimes commis sur les mineurs de quinze ans .

La règle a ainsi le mérite de faciliter la répression d'infractions qui, souvent ne peuvent être connues que par une dénonciation émanant du milieu familial ; même si elle limite son domaine d'application aux crimes excluant ainsi les délits. C'est une voie que devrait suivre le législateur ivoirien et même aller plus loin en étendant la règle aux délits et pourquoi pas aussi aux mineurs de dix huit ans.

Une autre réalité rendant inefficace l'obligation de dénonciation est la coutume. En effet, sous prétexte de ce que l'acte accompli relève de la coutume, c'est le cas des mariages précoces et de l'excision, l'on ne le considère pas répréhensible ou du moins le trouve bien fondé. Aussi, n'éprouve-t-on pas le besoin de le dénoncer.

Malgré ces insuffisances, lorsque la maltraitance est connue de l'autorité, les parents ou substituts parentaux auteurs sont sanctionnés

Outre les sanctions pénales qui peuvent frapper les auteurs de maltraitance, ceux-ci encourent aussi la déchéance de leurs droits de la puissance paternelle.

*12-Cass. Civ. 1ère, 14 Avril 1982, Bull. civ. N°125 p 110

*13-Art 355 al 2-1° en matière d'attentat à la pudeur par exemple

*14-Loi n°98-756 du 28 décembre 1998 portant répression des unions forcées et/ou précoces d'un mineur de 18 ans JORCI 1999

Loi n°98-757 du 28 décembre 1998 portant répression de certaines formes de violence à l'égard des femmes JORCI 1999

12-0- la protection légale du mineur contre l'exploitation

La protection de l'enfant contre l'exploitation, s'observe à différents niveaux. Cette exploitation économique résultant surtout de l'exploitation de sa force de travail, le législateur ivoirien va certes, admettre que l'enfant travaille mais à certaines conditions. Il y a donc une réglementation du travail du mineur.

Par ailleurs, même si l'on admet sous condition le travail de l'enfant, il y a des formes de travail auxquelles l'on ne peut tolérer que l'enfant soit soumis ; ce sont les pires formes de travail de l'enfant. Ainsi, vis-à-vis des pires formes de travail de l'enfant, va être instituée une interdiction formelle.

12-1- la réglementation du travail de l'enfant

L'article 23.8 du code de travail dispose que « les enfants ne peuvent être employés dans une entreprise, même comme apprenti, avant l'âge de quatorze ans ... ». Cela signifie que l'enfant peut travailler mais pas avant un certain âge. L'on pose ainsi le principe de l'admission conditionnelle du travail de l'enfant. Le travail de l'enfant est donc non seulement soumis à des conditions mais aussi à un contrôle.

a- La définition légale exacte de la notion de travail de l'enfant.

Les instruments internationaux et même la législation interne, ne définissent pas expressément la notion du travail de l'enfant. Néanmoins, le travail de l'enfant peut être simplement appréhendé comme le travail effectué par un individu de l'un ou l'autre sexe âgé de moins de dix huit ans. Une telle définition, a priori ne pose pas le problème du travail du mineur récriminé et incriminé par toute la société nationale et internationale. Ce, d'autant plus qu'appréhendé comme l'ensemble des activités, des efforts nécessaires pour produire quelque chose, pour obtenir un résultat, le travail ^{15(*)} pour tout individu notamment pour un enfant a de tout temps eu des aspects éducatifs et surtout socialisant. En effet, le travail a toujours été utile à l'homme car lui assurant une indépendance

économique et son intégration sociale. Mais, un enfant étant sous la responsabilité de ses parents, ils doivent le prendre en charge en survenant à tous ses besoins. De ce point de vue, l'enfant n'a donc pas à rechercher une indépendance économique par le biais de son travail. Néanmoins, l'enfant en tant qu'élément de la société peut à un moment donné participer au développement de cette société. Par son travail donc l'enfant va connaître une intégration sociale en se frottant aux réalités de la société dans laquelle il est appelé, à sa majorité, à jouer un rôle prépondérant. C'est en cela que l'on parle de caractère socialisant du travail de l'enfant. Et cet aspect des choses n'a pas échappé à **la Convention C138 de l'Organisation Internationale du Travail (O.I.T), sur l'âge minimum d'admission à l'emploi** qui exclut de son champ d'application le travail éducatif et socialisant aux termes **de son article 6**. Aussi, depuis toujours, en Afrique le travail de l'enfant s'inscrit-il dans un contexte de pérennisation des valeurs et fait partie intégrante du processus de socialisation et d'éducation de l'enfant. Ainsi, la plupart des sociétés africaines considèrent comme normal et positif pour les enfants d'un certain âge d'entreprendre un type d'activité donné ^{16*}).

Même s'il est vrai que ce travail se déroulait souvent dans un cadre strictement familial.

Cependant, l'accentuation des crises économiques dans nos sociétés africaines et notamment dans la société ivoirienne depuis ces quinze dernières années a entraîné des changements de comportement. Ces changements tendent progressivement à enlever au travail des enfants son aspect socialisant et éducatif pour en faire une entreprise d'exploitation des enfants. Au travail socialisant et éducatif donc, semble s'être substituée une forme d'exploitation et difficilement tolérable du travail des enfants ^{17(*)}.

C'est cela l'exploitation économique de l'enfant et c'est ce qui décrié et condamné.

Aujourd'hui néanmoins, bien que la structure ait changé, le travail étant devenu beaucoup moderne et plus dirigé vers un but de profit, l'on continue d'admettre que l'enfant puisse travailler. Seulement ce travail est soumis à des conditions.

b-Les conditions d'admission de l'enfant au travail.

L'article 23.8 du code du travail dispose que « **les enfants ne peuvent être employés dans une entreprise avant l'âge de 14 ans...** ». Le législateur ivoirien pose ainsi une première condition d'admission du mineur au travail qui est relative à l'âge. D'autres conditions existent et sont relatives aux conditions même d'exercice du travail.

-la condition relative à l'âge.

Déjà au début du 20^{ième} siècle, l'on avait admis que même si l'enfant devait travailler, il ne pouvait le faire à n'importe quel âge. Ainsi, se posait la nécessité de limiter l'âge d'accès du mineur à l'emploi, au travail. Il s'agissait de lui fixer un âge minimum d'admission à l'emploi. C'est alors que plusieurs conventions dans plusieurs domaines d'activité vont être passées pour déterminer un âge minimum d'admission de l'enfant à l'emploi dans ces domaines. Cette nécessité s'est avérée plus impérieuse avec le temps et, en 1973, la communauté internationale par l'OIT décida d'uniformiser la barre de l'âge minimum d'admission à l'emploi. Aussi, va-t-il être demandé aux États notamment à ceux parties à la convention de spécifier un âge minimum d'admission à l'emploi. Néanmoins, une limite va être donnée ; cet âge minimum ne peut être inférieur à quatorze ans selon **l'article 2-3°-4° de la Convention C138 de l'OIT**.

L'objectif du législateur international en adoptant une telle mesure est clair : protéger l'enfant et assurer son développement. Objectif précisé d'ailleurs par **la recommandation R146 sur l'âge minimum dans son préambule à ses alinéas 3 et 4**. C'est donc tout en poursuivant ce même objectif de protection du mineur que le législateur ivoirien a fixé l'âge minimum d'admission de l'enfant à l'emploi à quatorze ans. Mais il est regrettable de constater que son respect en est tout autre.

- les conditions relatives à l'exercice du travail

Même si l'enfant à partir de quatorze ans peut être admis à l'emploi, le souci de sa protection nécessite que des dispositions particulières soient prises à son endroit dans l'exercice de ce travail.

Le travail même que l'enfant doit être amené à faire en entreprise ne doit pas excéder sa force de travail. Si cela s'avère être le cas, le mineur doit être affecté à un emploi plus convenable comme le dispose **l'article 23.9 du code du travail**. Le législateur accompagne le jeune travailleur pour sauvegarder sa santé et son développement physique harmonieux. De la sorte, il met l'intérêt de l'enfant, quant aux éléments sus indiqués, au dessus de celle de l'entreprise. Et même lorsqu'il s'agit de faire un choix entre le développement physique et mental de l'enfant et l'aspect financier du travail, il met en avant l'aspect humain du développement de l'enfant. C'est alors que, lorsque le travail en entreprise auquel l'enfant est affecté est au dessus de ses forces et qu'il n'y a pas de possibilité d'affecter le mineur à un autre emploi, le législateur préconise qu'il soit mis fin au contrat de travail (**art.29 al 2 du C.T**).

Par ailleurs, une interdiction formelle de faire travailler l'enfant de nuit, même s'il est en apprentissage ou en préformation ^{17(*)} est édictée sauf dérogation dans des conditions fixées par le décret tenant compte de la nature particulière de l'activité (**art.22.2 du C.T**). La possibilité d'une telle dérogation n'est pas à la faveur de la protection que l'on veut pour l'enfant. Ce d'autant plus qu'ici, l'activité professionnelle ou l'intérêt de l'entreprise est mis au-dessus de la condition de l'enfant. Nous pensons que si la nature particulière de l'activité ne permet pas à l'enfant de travailler de jour alors, qu'il ne soit pas admis à ce travail tout comme dans le cas des travaux excédant sa force de travail. Le jeune travailleur doit pouvoir bénéficier d'un repos suffisant et la durée minimale de son repos journalier est fixée à douze heures consécutives.

Si cependant, le développement physique et mental harmonieux du mineur travailleur est une préoccupation fondamentale du législateur ivoirien, le traitement salarial ne suit pas cette même attention. En effet, le législateur a admis que soit instituée une discrimination dans le traitement salarial du travailleur mineur rémunéré au temps par rapport au travailleur adulte en permettant

que le salaire du jeune travailleur de moins de dix-huit ans puisse subir une réduction dans un certain pourcentage (**art 49 al 1 de la convention interprofessionnelle de la Côte d'Ivoire du 19 juillet 1977**) ; alors même que l'adulte et le mineur occupent le même emploi et travaillent dans la même catégorie professionnelle. Et ce même si à l'endroit du jeune travailleur rémunéré à la tâche ou au rendement l'égalité du salaire est observée (**art 49 al 3 de la convention précitée**). Ce faisant, il y a une violation flagrante du principe « à travail égal, salaire égal » et de **l'article 13-1.a de la recommandation R 146 de l' OIT sur l'âge minimum** qui recommande qu'une attention particulière soit accordée à l'attribution d'une rémunération équitable et la protection du salaire du travailleur en vertu du principe précédemment cité. Cette discrimination pourrait s'expliquer peut être par un éventuel manque de formation professionnelle ou qualifiante du travailleur mineur étant donné que la mesure ne s'applique pas au mineur titulaire d'un Certificat d'Aptitude Professionnelle (C.A.P) et débutant dans la profession ou ayant subi avec succès l'examen de sortie d'un centre de formation professionnelle (**Art 49 al 2 de la convention précitée**). Cependant, nous estimons que cette raison est insuffisante car si le mineur occupe un emploi au même titre qu'un adulte dans la même classification professionnelle, c'est d'abord parce qu'il a les aptitudes nécessaires et suffisantes pour exercer cet emploi comme l'adulte. Dès lors, la réduction de son salaire ne saurait se justifier. Du coup, l'on institue une exploitation légale de la force de travail du mineur. Malgré cette discrimination légale, le travail du mineur est contrôlé.

*15-Hachette, dictionnaire universel, Edicef 2003

*16-Action for the rights children (ARC), questions spécifiques : abus et exploitation, éd. B.I.T, Avril 2003 p3

*17-BIT, la traite des enfants aux d'exploitation de leur travail dans le secteur informel à Abidjan, 1ière éd. BIT 2005 p13

-Le contrôle légal du travail de l'enfant

Les modalités du contrôle du travail de l'enfant sont relatives aussi bien aux organes chargés du contrôle qu'à la mise en œuvre de ce contrôle.

Dans la législation ivoirienne, l'organisme chargé de veiller au respect des lois sociales est l'inspection du travail et des lois sociales. Les inspecteurs du travail sont aidés ou assistés dans leur tâche par des contrôleurs et des attachés du travail. Les inspecteurs de travail ont des tâches diverses dans l'exercice de leur pouvoir de contrôle. Entre autres tâches, ils doivent contrôler l'identité des travailleurs ainsi que le travail que chacun d'eux occupe

(art. 95.5-1° du C.T). Par identité, ici, il faut entendre tous les éléments d'informations relatives à l'état civil du travailleur, notamment son âge. C'est donc là une possibilité pour savoir si l'entreprise emploie ou non des mineurs et si le travail effectué par eux convient à leur force de travail comme le prévoit **l'article 23.9 du code du travail**. Afin d'assurer l'efficacité du contrôle et la véracité des informations, il est fait obligation aux employeurs de tenir constamment un registre dit registre de l'employeur, au lieu de l'exploitation **(art.93.2 du C.T)**. Ce registre doit contenir entre autres informations des renseignements sur les personnes employées ainsi que leur travail effectué. Les visites en entreprises de l'inspecteur du travail pour être efficaces peuvent être inopinées et s'effectuer de jour comme de nuit **(art.95.5-a du C.T)**.

Les résultats du contrôle sont consignés dans un procès verbal qui fait foi jusqu'à inscription de faux **(art.94.4 al 4 in limine du C.T)**. Et selon la gravité des violations ou infractions constatées, l'inspecteur du travail en saisi directement les autorités judiciaires compétentes ou peut prendre lui-même les mesures qui s'imposent.

Ces mesures vont des conseils aux mesures exécutoires propres à faire cesser un danger imminent pour la santé et la sécurité des travailleurs en passant par la mise en demeure et des avertissements **(art94-4 al 4 in fine. du C.T)**

12-3-Remarques et recommandations sur le contrôle du travail de l'enfant

Les limites attachées au contrôle de l'inspecteur du travail sont d'ordre juridique et d'ordre pratique.

La limite juridique vient de la non application du code du travail au secteur informel. En effet, de par la définition du travailleur donnée par le code du travail en **son article 18**(18*), définition de laquelle l'on tire aussi la définition du contrat de travail, ce code semble pouvoir s'appliquer à tous les domaines de la vie économique. Exception faite des domaines exclus par le code lui-même. Cela surtout encore quand on sait que pour la détermination de la qualité de travailleur, il n'est tenu compte ni du statut juridique de l'employeur, ni celui de l'employé selon **l'article 2-2 du code du travail**. Néanmoins, à cause de son caractère informel, le secteur informel échappe à la quasi-totalité des dispositions du code. Car par essence le secteur informel est un secteur non organisé conformément aux normes existantes. Dès lors, surgissent toutes les difficultés pour l'inspecteur du travail d'effectuer des contrôles dans ce secteur en vue de la protection des enfants qui y travaillent. Quant aux limites pratiques elles résultent de la localisation ou répartition de l'inspection du travail sur le territoire national ainsi qu'aux moyens dont disposent les inspecteurs. En effet, les inspections de travail sont inégalement réparties sur le territoire national et se retrouvent seulement que dans les grandes agglomérations dont Abidjan et Bouaké, avant la guerre. Ceci pose un problème d'efficacité dans la mesure où les distances à parcourir pour effectuer les contrôles sont grandes. Les contrôles peuvent être très espacés de sorte que pour un temps plus ou moins long, des entreprises peuvent sans être inquiétées faire travailler des mineurs ayant moins de quatorze ans ou soumettre le mineur ayant l'âge requis à un travail qui soit au dessus de ses forces nuisant ainsi à son développement physique et intellectuel.

Cet état de fait recommande que l'on décentralise les inspections de travail et que les grandes zones industrielles du pays puissent être dotées chacune d'une inspection de travail afin d'assurer la régularité des contrôles et partant leur efficacité.

Par ailleurs, bien que **l'article 91-7 du code du travail** recommande que des moyens appropriés soient pour fournir aux

inspecteurs de travail et leurs collaborateurs, que des facilités de transport nécessaires à l'exercice de leur fonction leur soient données, c'est bien souvent ceux-ci déplorent le manque de moyens adéquats pouvant leur permettre d'être efficaces dans leur mission de contrôle.

Même si le mineur est admis sous certaines conditions à travailler, il y a des formes de travaux auxquels il ne peut être soumis et qui lui sont de ce fait interdites.

**18--Art. 2 al 1 du C.T: « est considéré comme travailleur, ou salarié quels soient son sexe, sa race et sa nationalité, toute personne physique qui s'est engagée à mettre son activité professionnelle, moyennant rémunération, sous la direction et l'autorité d'une autre personne physique ou morale, publique ou privée, appelée employeur.*

13-0- Les mesures de protection de l'enfant contre les pires formes de travail

Les pires formes de travail de l'enfant, de par leur définition, notamment la traite et le trafic, renferment un aspect extra territorial. Aussi bien que des mesures internes de protection soient envisagées, une collaboration sous régionale est mise en place.

Ces mesures légales internes de protection vont de l'interdiction à la répression en passant par l'incrimination des différents actes et pratiques constitutifs de pires formes de travail du mineur.

13-1-Les mesures internes.

La constitution ivoirienne, en son **article 3**, interdit l'esclavage, le travail forcé ainsi que toute forme d'avilissement de l'être humain.

Cette disposition en ce qui concerne le mineur a trait à sa protection contre les pires formes de travail dans leur aspect, ici, attentatoire et avilissant de sa dignité. D'ailleurs, cette protection du mineur est plus explicite à travers **l'article 6** de ladite constitution disposant que « **l'État assure la protection des enfants..**» De même que la constitution, la loi portant code du travail interdit de façon absolue le travail forcé ou obligatoire en son **article 3 in limine**.

L'interdiction des pires formes de travail dans leur aspect de

travaux dangereux ressortit de l'arrêté même portant détermination de la liste des travaux dangereux interdits aux enfants. Pour montrer son attachement à cette interdiction, l'autorité ivoirienne a fait figurer le terme ``interdit`` déjà dans le titre de l'arrêté avant de le faire ressortir dans son article premier « sont qualifiés travaux dangereux interdits aux enfants... » Mais, fort de l'expérience qu'a l'être humain de transgresser les interdits, le législateur ivoirien n'a pas manqué d'incriminer et de réprimer les actes et pratiques constitutifs de pires formes de travail de l'enfant.

13-2-L'incrimination et la répression des actes et pratiques constitutifs de pires formes de travail des enfants.

Les pires formes de travail de l'enfant bien qu'elles fassent l'objet d'interdiction, le législateur ivoirien en a fait des infractions sanctionnées pénalement.

Aussi, rejette-t-il et condamne tout acte ou pratique de quelque nature que ce soit susceptible d'être préjudiciable à l'homme notamment à sa liberté, à sa personne. Dès lors, toute personne qui conclut une convention ayant pour objet d'aliéner, soit à titre gratuit, soit à titre onéreux, la liberté d'une tierce personne est passible de peine pénale **selon l'article 376 du code pénal**, il en est de même pour quiconque reçoit une personne en gage (**art. 377 du C.P**). Ce faisant, il incrimine ainsi toutes les formes d'esclavage. Par ailleurs quiconque qui, aux termes de **l'article 378 du code pénal**, pour satisfaire exclusivement son intérêt personnel, impose à autrui un travail ou un service pour lequel il ne s'est pas offert de son plein gré, commet aussi une infraction. De la sorte, l'on incrimine la servitude pour dette, le servage ainsi que le travail forcé ou obligatoire. Incriminées sous la rubrique des atteintes à la liberté individuelles ^{19(*)} toutes ces infractions sont punies de peines d'emprisonnement allant de six mois à trois ans ou de un à deux ans selon les cas aux termes des dispositions précitées.

Lorsque l'infraction est commise, particulièrement sur le mineur, le maximum de la peine est exigé lorsqu'il s'agit d'un mineur de moins de quinze ans. C'est dire que pour le mineur de plus quinze ans, le maximum de la peine peut ne pas être prononcé. Le statut de mineur de la victime ici constitue une circonstance aggravante. Mais

Il faut noter qu'il y a une protection à double vitesse entre les mineurs selon leur âge. Ce qui est regrettable étant donné qu'ils sont tous, mineurs de quinze ans ou plus, bénéficiaires des droits de protection contenus dans la convention sur les droits de l'enfant et dans la charte africaine sur les droits et bien-être de l'enfant sans discrimination aucune^{20(*)}.

Que le mineur ait quinze ans ou plus son assujettissement ne saurait être justifié par quoi que ce soit pour que la personne qui lui inflige un tel traitement soit traitée au même titre que si sa victime avait été un adulte.

Pour protéger le mineur contre l'exploitation sexuelle constitutive aussi de pires formes de travail, l'auteur de telle pratique est considéré comme un proxénète et sanctionné en tant que tel sur le fondement de **l'article 335 du code pénal**. La qualité de mineur de la victime ne constitue qu'une circonstance aggravante de la peine. La qualité de la personne auteur du délit constitue aussi une circonstance aggravante qui conduit au doublement de la peine. Aussi, lorsque l'auteur de l'exploitation sexuelle a d'une manière ou d'une autre, une quelconque autorité sur le mineur et qu'il le livre à la prostitution sa peine est portée au double selon **l'article 336 al 1-5 du code pénal**. Par ailleurs, commet un délit, quiconque porte atteinte aux mœurs existantes en favorisant ou en facilitant la débauche de la jeunesse de l'un ou l'autre sexe en dessous de dix huit ans (**art.337 al 1 du C.P**). La tentative de tous ces délits est punissable aux termes des dispositions sus indiquées. Le législateur ivoirien, pour montrer son attachement à la protection de la jeunesse notamment les mineurs, et son intention de n'abriter sur son sol des personnes ayant commis de tels actes sur les enfants, prescrit que les actes même commis à l'étranger soient pris en compte dans le prononcé de la sanction (**art.337 al 2 du C.P**).

L'utilisateur des mineurs dans la production et le trafic de stupéfiants n'échappent pas à l'incrimination et à la répression^{100(*)}

En outre, même si l'État de Côte d'Ivoire interdit le recrutement de mineurs dans ses forces armées, à la faveur de la guerre il est donné de constater cette pratique notamment dans les rangs des rebelles sans que ceux-ci puissent être sanctionnés.

L'on peut noter que l'incrimination et la répression des actes constitutifs de pires formes de travail de l'enfant ne concernent que ceux ayant un caractère avilissant et dégradant. Les travaux

dangereux ne sont donc pas incriminés; le législateur ne se contentant que de les interdire. Ce qui est regrettable quand on sait que l'interdiction à elle seule ne suffit pas à protéger l'enfant et qu'elle n'a de force que lorsque sa violation est réprimée. Cela explique en partie les violations flagrantes de ces interdictions constatées chaque jour. Il est donc temps pour donner force à l'interdiction des travaux dangereux en l'accompagnant de sanction. Mais aussi faut-il mettre véritablement à contribution les forces de l'ordre pour que ces pratiques prennent fin.

13-3-Remarques et recommandations sur les mesures de protection de l'enfant contre les pires formes de travail

Malgré les interdictions, l'incrimination et la répression par des textes, des actes constitutifs des pires formes de travail, les auteurs de tels actes restent parfois impunis du fait de la méconnaissance même des textes par certains de ceux qui sont chargés de leur mise en œuvre, c'est notamment le cas des agents de police et de gendarmerie. En témoigne la plainte de cet agent : « on a arrêté plusieurs fois des trafiquants et des mineurs venant du Burkina Faso et du Mali. Mais une fois qu'on les interpelle, on ne sait pas toujours sous quels motifs les garder au violon et les traduire ensuite en justice. C'est un vrai flou au niveau des textes. On ne sait pas sur quoi se baser pour traquer ces individus ^{21(*)}

Cela dénote de la nécessité d'une formation complémentaire de tous les corps ainsi impliqués dans la mise en œuvre des textes et autres mesures afférents à la protection des mineurs.

Le phénomène des pires formes de travail de l'enfant ayant un caractère qui dépasse les limites d'un État, toute la sous région a décidé de s'impliquer dans la lutte par la coopération.

13 -4 -De la coopération sous-régionale dans la lutte contre les pires formes de travail des enfants.

Les pires formes de travail ont dans certains de leurs aspects ou manifestations un caractère international parce que dépassant les frontières de la Côte d'Ivoire. C'est notamment la traite ou le trafic des enfants. Appréhendé comme le déplacement d'un enfant d'un espace à un autre dans un but d'exploitation, le trafic des enfants ^{22(*)} a aussi bien un volet interne qu'un volet international. En effet, des études dans des zones frontalières du pays ou dans des zones de grandes productions agricoles ou minières ont prouvé que des enfants sont convoyés vers la Côte d'Ivoire depuis des pays voisins ou de la sous région pour être exploités sur place. D'autres font l'objet de déplacement interne. C'est alors que la brigade mondiale du ministère de la sécurité a enregistré en 2002, 41 cas d'enfants âgés de 8 à 15 ans victimes de trafic repartis comme suit :

Cote d'Ivoire (12), Burkina Faso (02), Togo (08), Bénin (13), Nigeria (01), Guinée (02) ^{23(*)}.

A cause de l'aspect international du trafic des enfants, l'on s'est rendu compte qu'aucun pays, ni aucune institution nationale ou internationale ne peut à lui seul s'attaquer au phénomène de la traite ou du trafic des enfants dans toutes ses manifestations et dans toute son ampleur pour l'enrayer. Pour être efficace donc, la lutte contre la traite des enfants aux fins d'exploitation exige le développement d'un partenariat fort et durable tant au plan national qu'au plan sous-régional et tout particulièrement sur le plan juridique^{24(*)}.

Fort de ce constat, à la faveur de séminaires, tables rondes et autres concertations plusieurs pays de la sous région ont institué entre eux une collaboration dans la lutte contre le trafic des enfants. Cette collaboration s'inscrit dans le cadre de l'article 11 de la convention sur les droits de l'enfant, pour la lutte contre les déplacements et les non-retours illicites d'enfants à l'étranger. Ainsi, cette volonté de collaboration s'est manifestée par deux accords de coopération ; un bilatéral et l'autre multilatéral. Ce sont d'une part l'accord de coopération entre la République de Côte d'Ivoire et la République du Mali contre le trafic transfrontalier des enfants de Septembre 2000 ^{25(*)} et d'autre part l'accord multilatéral de coopération en matière de lutte contre la traite des enfants en Afrique de l'Ouest de Juillet

2005 conclu entre le Bénin, le Burkina Faso, la Guinée, le Libéria, le Mali, le Niger, le Nigeria et la Côte d'Ivoire ^{26(*)}.

Il s'agit pour ces États de se donner un instrument juridique commun, outil nécessaire pour l'élimination de la traite des enfants et un gage pour leur épanouissement harmonieux et le respect de leurs droits fondamentaux selon **l'article 16 du préambule de l'accord multilatéral et l'article 11 de l'accord bilatéral**.

Par ces accords, les États entendent mener des actions communes tant dans la prévention, la protection, le rapatriement des enfants victimes que dans la réunification des familles, la réhabilitation et la réinsertion des enfants (**art.6 de l'accord multilatéral**). Quant à la répression des auteurs, elle est laissée à la charge de chaque État partie (**art.8-h de l'accord précité**). A ce niveau une harmonisation des législations est envisagée (**art.8-j de l'accord précité**).

*19-Livre II, titre II, chapitre 4, section 1 du code pénal

*20-Art 1 de la C.D.E et art. 2 de la C.A.D.E

*21-Art. 2 al.1-2° de la loi n°88-686 du 22 juillet 1988 portant répression du trafic et de l'usage illicite de stupéfiant.

*22-Sissoko (A), Agbadou (J), Goh (D), op.cit. p 50

*23-Pour la définition du protocole additionnel de l'ONU contre la criminalité transnationale voir Koffi (M.C.), op.cit. p 40

*24-Koffi (M.C), op.cit. p 45

*25-N'guessan (N), la traite des enfants aux fins d'exploitation de leur travail dans les mines d'or d'Issia, Côte d'Ivoire, 13 éd. BIT, Abidjan 2005 p 59

*26-CNDJ, les droits de l'enfants en Côte d'Ivoire, rec. CNDJ, Abidjan 2005 p 80 et suiv.

13-5- Des solutions envisagées pour la lutte contre les auteurs des pires formes de travail des enfants en milieu rural agricole

Pour éradiquer les offenses faites aux mineurs, des solutions traditionnelles mais inefficaces existent mais avec l'avènement des pires formes de travail dans la cacaoculture qui implique la Côte d'Ivoire, l'apport récent du gouvernement auprès des zones de production de cacao est à relever.

- **L'apport des autorités traditionnelles**

Les prérogatives d'un chef de village ou de communauté, consistent prioritairement à créer un cadre de résolution des problèmes dans sa localité. Dès lors que le chef est informé de ce l'attitude malveillante d'un subordonné, l'auteur est convoqué et des conseils lui sont prodigués dans le souci de préserver l'harmonie familiale. En cas de récurrence, la garde de l'enfant est retirée au parent et confiée à un autre membre de la famille. Cette mesure du chef trouve son fondement dans le souci de protection de l'intégrité physique ou morale du mineur. Dans les cas graves comme l'infanticide le chef à recours cette fois à l'autorité judiciaire.

En réalité, tout n'est pas facile pour le chef de sanctionner les parents fautifs pour le simple fait qu'il est difficile de voir un membre d'une famille dénoncer un parent qui exerce la violence sur un mineur. Il existe une sorte de solidarité autour de la maltraitance des enfants dans la famille. Faire travailler de façon sauvage un mineur est vue comme l'expression d'une éducation de rigueur. Selon les témoignages recueillis dans différents villages agricoles « les enfants qui exécutent les tâches dangereux sont considérés comme des héros et font la fierté de leurs parents ou tuteurs. » Quelquefois les parents font des promesses aux mineurs dans le but de les exploiter.

Face à cette mentalité les chefs traditionnels restent muets devant la maltraitance des enfants. On voit par exemple un enfant de dix (10) ans, traverser le village avec des lourdes charges sur la tête, sous le regard insouciant des villageois qui bien au contraire louent la bravoure de l'enfant.

En clair les sociétés traditionnelles regorgent des mesures inefficaces contre les auteurs des mauvais traitements des enfants. Comment une société qui érige la maltraitance de l'enfant en une forme rigoureuse d'éducation de l'enfant peut elle-même trouver des solutions à ces violations des droits des enfants ? la chocotte, les durs travaux champêtres, la privation de nourriture, le port des lourdes charges etc. Font désormais partie de l'éducation d'un enfant.

- **L'apport du gouvernement**

L'implication récente mais porteuse d'espoir du gouvernement ivoirien dans la lutte contre les pires formes de travail dans le secteur de cacao en cote d'ivoire.

La réalité de tels actes ou pratiques à l'endroit de l'enfant en Côte d'Ivoire n'est malheureusement pas fausse. En effet, plusieurs études et enquêtes faites ont montré l'existence de ces pratiques sur les enfants dans diverses localités de la Côte d' Ivoire. A cause du travail des enfants dans les plantations de cacao, ayant donné lieu à ce que l'on a appelé « les enfants esclaves », le gouvernement américain a voulu interdire l'importation du cacao ivoirien ne s'inscrivant pas dans le processus de certification selon le contenu du protocole Harkin-Engel. Pour éradiquer ce fléau, le gouvernement de cote d'ivoire a créé un comité interministériel dont la mission inscrite dans un délai précis a pour mission la lutte contre les pires formes de travail des enfants dans le secteur de la cacaoculture. Des ateliers de formations, des conférences de presse ayant pour objet une large diffusion auprès du monde paysan sur l'absolu nécessité de protéger le mineur contre les travaux dangereux. Des chefs conviés aux ateliers de formation ont pris le relais pour se lancer dans des campagnes éclatées de sensibilisation. Le succès de cette démarche réside dans des mesures budgétaires mises en place en vue d'améliorer l'environnement vital du paysan agricole .Ces mesures se caractérisent à court et moyen terme à la réalisation des infrastructures sanitaires, éducatives et économique dans les zones de production de cacao. Ces mesures semblent satisfaisantes au regard des encouragements adressés à l'Etat de Côte d'Ivoire dans un récent rapport sur le processus de la certification par les Américains. Cette sensibilisation des chefs des villages sur la protection des droits de l'enfant dans le secteur de la cacaoculture est en passe de porter des fruits eu égard aux informations recueillis dans le cadre de cette étude dans les villages de Gboguhé (425kms d'Abidjan), kibouo (410kms d'Abidjan), Assikoi (47kms d'Abidjan)...c'est pourquoi la volonté de l'Etat auprès de la société traditionnelle dans cette lutte contre les pires formes de travail des enfants doit être suivie et pérennisée. C'est le moment d'attirer l'État de Côte d'Ivoire avec l'avènement très avilissant du travail des enfants dans le secteur de cacao à prendre des mesures vigoureuses

pour améliorer le droit des enfants dans les zones rurales.

13-6-Avis des informateurs ruraux au sujet du travail des enfants dans la cacaoculture

Dans le cadre de ce rapport, nous avons mené une enquête pour recueillir l'avis des populations rurales sur le travail des enfants dont l'âge varie entre 5 et 17ans dans les plantations de cacao.

L'enquête déroulée dans les villages de Massandji (sud), Assikoi (sud), Ebilassokro (est), Kibouo (centre ouest), Gboguhé (centre ouest). Louria et Bemadi (ouest).

Au total, trente (30) personnes (hommes, femmes et enfants) ont été interrogées sur le sujet. Elles se répartissent comme suit :

- cinq (5) chefs coutumiers
- quatre (4) instituteurs
- cinq (5) notables traditionnels
- cinq (5) ressortissants étrangers
- cinq (5) enfants déscolarisés
- quatre (4) paysans agricoles
- deux (2) agents de santé

Chaque personne a répondu au questionnaire suivant :

1- Que pensez-vous des personnes qui utilisent les enfants dont l'âge varie entre cinq (5) et dix-sept (17) ans pour travailler dans les plantations de cacao?

<i>A- ce n'est pas bien</i>	<i>B- c'est bien</i>	<i>C- cela dépend du type de travail</i>	<i>D- je n'en sais rien</i>

2- Avez-vous été témoin des actes de personnes qui astreignent les enfants dont l'âge varie entre cinq (5) et dix-sept (17) ans à des travaux pénibles dans les plantations de cacao? Si oui, quelle a été votre réaction ?

A- non	B- oui	C- j'en ai été victime	D- je n'en sais rien

13-7-La synthèse des réponses au questionnaire

Réponses au sujet de la première interrogation

A= 07 personnes/30

B=12 personnes/30

C=10 personnes/30

D=01 personne/30

Justification des réponses

A- Ce n'est pas bien de contraindre des enfants aux travaux champêtres parce qu'ils sont pénibles et très dangereux pour la santé et le développement physique et mental de l'enfant.

Des parents devraient plutôt encourager les enfants à fréquenter l'école.

B: c'est bien d'initier cette tranche d'âge (5-17ans) aux travaux champêtres pour deux raisons importantes.

1) apprendre à l'enfant les rudiments de la culture du cacao dans le but de la pérenniser.

2) L'école n'étant plus une garantie de réussite sociale, il convient de préparer les enfants à la culture de cacao

C- Cela dépend du type de travail auquel l'enfant est astreint. En principe les enfants doivent travailler légèrement pour apprendre et pérenniser la culture du cacao. Mais il ne faut pas que cet impératif soit détourné au profit des travaux dangereux à but économique.

D- Je n'en sais rien

Réponses au sujet de la seconde interrogation

A= 05 personnes/30

B=16 personnes/30

C=07 personnes/30

D=02 personne/30

Justification des réponses

A- Je n'ai jamais assisté à des pratiques esclavagistes orchestrées sur les enfants de cette tranche d'âge dans les champs de cacao.

B: Oui, car c'est une pratique courante dans nos villages. Des proches parents obligent des enfants (4-5 à 17ans) à se réveiller très tôt (5heures 30 minutes GMT du matin) pour parcourir plusieurs kilomètres à pieds et travailler dans les plantations de cacao.

*Devant cette situation désastreuse, je ne peut me plaindre car c'est de coutume qu'un parent utilise son enfant ou son protégé comme il le souhaite. De toutes les façons personne ne s'en plaint ici au village, bien au contraire ces enfants sont félicités et pris comme modèle de courage.

C- Oui, j'ai été victime des pires formes de travail dans les champs de cacao. Je le faisais pour aider mes parents. (Quatre (4)/sept (7).

*je l'acceptais malgré moi.

-Oui, j'ai été victime de la méchanceté de mes parents lointains, à la mort de mes géniteurs. Je travaillais dès heures durant, aux activités pénibles et dangereux . Trois (3).

*je l'acceptais malgré moi mais finalement j'ai fui la maison.

D- Je n'en sais rien

Tableau (n°2) récapitulatif des définitions légales de l'enfant et de l'âge minimum de travail de l'enfant

	Conventions Internationales	La législation Ivoirienne	La coutume en Côte d'Ivoire
la définition de l'âge de l'enfant	C.D.E, C.A.D.E. 18ans	Majorité civile 21 ans Majorité politique 18 ans Majorité pénale 18 ans	18 ans (garçon) 15 ans (fille)
la définition de la notion de l'âge minimum de travail de l'enfant	Convention 138 de l'O.I.T 14ans	Code de travail 14 ans	Travaux légers 5-13 ans Âge opérationnel 15 - 17ans

Tableau (n°3) : la liste des travaux dangereux interdits aux enfants de moins de dix-huit (18) ans (Arrêté N° 2250 du ministère de la fonction publique)

DOMAINES D'ACTIVITÉS	TYPES DE TRAVAUX INTERDITS
AGRICULTURE	<ul style="list-style-type: none"> - L'Abattage des arbres - Le brûlage des champs - L'épandage de produits chimiques - L'épandage des engrais chimiques -Le traitement chimique des pépinières -Le port de charges lourdes.
MINES	<p>La Foration et les tirs de mine</p> <p>Le transport des fragments ou des blocs de pierre</p> <p>Le concassage</p> <p>L'extraction de minerai à l'aide de produits chimiques tels que le cyanure de sodium, l'acide sulfurique, le dioxyde de soufre</p> <p>Le travail dans les mines souterraines</p>
COMMERCE ET SECTEUR URBAIN DOMESTIQUE	<p>La vente de support à caractère pornographique</p> <p>Le travail dans débits de boisson</p>

ARTISANAT	L'ajustage, le ménage, la vidange, l'affûtage, le fraisage, le laminage, la descente de moteur, la manipulation de batteries. La fabrication et la réparation d'armes à feu La production de charbon de bois et le métier de bûcheron Le ponçage motorisé de cuir et le tannage de la peau. La teinturerie et l'impression
TRANSPORT	L'activité d'apprenti de mini cars communément appelé « GBAKA »

14-0- la protection de l'enfant devant les juridictions pénales.

Le mineur est le maillon faible de la société. Cependant, cette fébrilité ne fait pas forcément de lui un individu conforme à la loi dans ses actes de chaque jour. Il peut entrer en conflit avec la loi, c'est-à-dire qu'il peut la violer. Au plan civil par exemple, à cause de son incapacité le mineur ne peut accomplir certains actes tels que les contrats (**art.27 de la loi sur la minorité**). Cependant, il peut arriver qu'il passe outre son incapacité pour accomplir ces actes. Lorsque c'est le cas, ces actes seront frappés d'une nullité relative (**art.34 de la loi sur la minorité**). Cette nullité est une nullité de protection du mineur.

La violation de la loi par le mineur a un véritable retentissement lorsque cette violation concerne la loi pénale parce que celle-ci protège l'ordre public. C'est le problème de la délinquance juvénile appréhendée comme l'ensemble des crimes et délits ainsi que les contraventions considérés au plan social et perpétrés par les jeunes. Mais même s'il est entré en conflit avec la loi pénale, le mineur ne peut et ne doit pas être traité comme un adulte. Car, comme le soutien un auteur, aucune société ne peut traiter le jeune délinquant sur le même pied d'égalité que le délinquant adulte sans risque d'en faire un criminel d'habitude et de gâcher les chances de

sa réinsertion sociale. La convention sur les droits de l'enfant et la charte africaine sur les droits et le bien-être de l'enfant recommandent que soit pris en compte dans le traitement l'enfant, son statut de mineur (**art.37-c de la C.D.E**). Que ce traitement ait pour objectif surtout de resocialiser le mineur. Il doit s'agir d'un traitement qui soit de nature à favoriser son sens de la dignité et de la valeur personnelle mais aussi qui renforce en l'enfant son respect pour les droits et des libertés d'autrui selon **l'article 40 de la convention et l'article 17 de la charte**. En d'autres termes, il s'agit par ce traitement, d'éduquer l'enfant tout en le protégeant et en protégeant la société.

A cette fin, le législateur ivoirien a édicté des dispositions pénales particulières concernant le mineur délinquant (**art.756 et suiv. du C.P.P**) **comme le recommandent l'article 40-3 de la convention sur les droits de l'enfant**. Ces dispositions instituent à l'endroit du mineur des règles protectrices de forme ainsi que des règles protectrices relativement au fond.

14-0-1- Le souci du législateur quant aux règles de formes

Le mineur auquel une infraction est imputée ne peut être justiciable devant les juridictions de droit commun. C'est en substance le principe de l'institution de juridictions spéciales en faveur du mineur que pose l'article 756 du code de procédure pénale. Devant ces juridictions, est aussi observée une procédure spéciale.

a- Des juridictions spéciales

Le législateur ivoirien a institué à l'endroit du mineur délinquant des juridictions spéciales. Mais, convient-il d'emblée de remarquer que ce caractère spéciale des juridictions ne s'observe pas à toutes les étapes de la procédure pénale. Aussi, en matière de poursuite le mineur est-il soumis à la compétence de la juridiction de droit commun tout comme l'adulte.

En effet, aux termes **de l'article 765 du code de procédure pénale**, le procureur de la République près le tribunal du siège du tribunal pour enfants est chargé de la poursuite des crimes, délits et contraventions commis par les mineurs de dix-huit ans. C'est dire

qu'en matière de poursuite, le mineur ne bénéficie pas de juridictions spéciales.

Par ailleurs, certaines infractions commises par un mineur sont soustraites de la compétence des juridictions spéciales pour mineur pour être soumises à celle des juridictions de droit commun. C'est notamment le cas des contraventions. Les contraventions commises par un mineur quelque soit son âge sont soumises à la compétence des tribunaux de police, tribunaux de droit commun selon **l'article 788 du code de procédure pénale**. Ailleurs, en France par exemple, la protection a été poussée un peu plus loin ; les contraventions de 5^{ème} classe relèvent du juge des enfants pendant que celles des classes inférieures relèvent du tribunal de police.

En définitive, le caractère spécial des juridictions en faveur du mineur ne s'observe qu'en matière criminelle et délictuelle et concerne l'instruction et le jugement. Ce sont le juge des enfants en matière d'instruction et les juridictions de jugement

- le juge des enfants

Lorsqu'une infraction est imputée à un mineur, le procureur de la République chargé de le poursuivre ne peut saisir n'importe quel juge en l'occurrence, il ne peut saisir le juge d'instruction de droit commun. A cause de sa qualité, le mineur à qui une infraction est imputée va voir l'instruction de son dossier confiée à un juge d'instruction particulier, spécial, le juge des enfants (**art.768 et suiv. du C.P.P**). Celui-ci, en matière d'instruction, à côté de sa fonction initiale qui est d'instruire le dossier du mineur peut assumer une fonction de jugement.

La loi donne compétence en matière de crime et de délit commis par un mineur de dix-huit ans au seul juge des enfants quant à l'instruction (**art.766 al 1 in limine du C.P.P**). Cette différenciation du juge chargé de l'instruction de l'affaire d'un mineur de celle de l'adulte, répond à un souci majeur : protéger le mineur délinquant en le traitant d'une manière particulière par rapport à l'adulte. C'est en cela que le choix du juge des enfants obéit à un critère fondamental, son intérêt pour les questions de l'enfant.

En effet, nommé par arrêté du ministre du garde des sceaux, ministre de la justice, le juge des enfants est avant tout un magistrat, car la Côte d'Ivoire a adopté le système du juge professionnel, mais surtout un magistrat choisi parmi ses pairs compte tenu de ses aptitudes et de l'intérêt qu'il porte aux questions de l'enfance (**art.768 du C.P.P**). C'est dire que le juge des enfants est un juge qui a fait ses preuves en ce qui concerne les questions relatives à l'enfant. La réquisition de cette qualité n'est pas fortuite au vu des missions qui lui sont assignées.

Comme tout juge d'instruction, la mission première du juge des enfants est certes de mener toutes diligences et investigations utiles pour parvenir à la manifestation de la vérité mais, le juge des enfants a aussi une mission toute particulière, celui tout mettre en oeuvre pour connaître la personnalité du mineur délinquant ainsi que les moyens appropriés à sa rééducation (**art 769 al 1 du C.P.P**). Ces investigations visent notamment à obtenir des renseignements sur la situation sociale, matérielle et morale de la famille du mineur, sur ses caractères et ses antécédents, sur sa fréquentation scolaire, son attitude à l'école et les conditions dans lesquelles il a vécu ou a été élevé selon **l'article 769 al 5 du C.P.P**. Ce second aspect de la mission recommande que celui qui en est chargée, ait des aptitudes prédisposées par rapport aux enfants en d'autres termes qu'il soit très proche d'eux. Car au vu des diverses sanctions et mesures palliatives qui peuvent être prises à l'endroit du mineur l'objectif fondamental poursuivi est moins de le sanctionner que d'assurer sa rééducation et sa réintégration dans la société. Il s'agit en un mot de ramener le mineur sur le chemin de la bonne conduite.

La volonté de ne pas traiter le mineur comme l'adulte apparaît nettement lorsque adulte et mineur se trouvent impliqués dans la même cause. Lorsqu'il en est ainsi, le Procureur de la République constitue un dossier spécial concernant le mineur et saisit le juge des enfants pendant que le majeur voit son dossier instruit par le juge d'instruction de droit commun selon **l'article 766 du code de procédure pénale**. Si une information avait été déjà ouverte, le juge d'instruction de droit commun se dessaisit dans le plus bref délai au profit du juge des enfants. C'est dire que le juge d'instruction de droit commun ne peut connaître de l'instruction du dossier d'un mineur. Ce qui n'est pas le cas en France car à côté du juge des

enfants, le juge d'instruction de droit commun intervient aussi dans la procédure.

L'instruction du dossier du mineur par le juge des enfants, juge spécial, peut néanmoins rencontrer quelques obstacles. La dévolution de la fonction de juge des enfants à un magistrat particulier n'est possible que dans les tribunaux de première instance et les sections de tribunaux, où il existe deux ou plusieurs juges. Car dans les sections de tribunaux à juge unique, celui-ci est chargé des fonctions de juge des enfants sur le fondement de **l'article 768 al 2 du code précité**. C'est dire que dans ce cas le mineur ne bénéficie plus de la protection ou de l'assurance découlant du caractère spécial du juge des enfants. Le juge unique de section n'est pas présumé avoir les qualités requises pour les questions touchant aux enfants, condition requise pour la nomination du juge des enfants. Dès lors, même s'il utilise une procédure particulière, son efficacité reste douteuse.

Même lorsque le juge des enfants a pu être spécialement désigné, son efficacité peut être mise en cause lorsque cette fonction n'est pas sa seule tâche. **L'alinéa 4 de l'article 768 du code de procédure pénale** dispose, en effet, que les fonctions de juge des enfants peuvent être cumulés avec d'autres fonctions judiciaires telle la fonction de jugement.

A côté de sa fonction de juge d'instruction, le juge des enfants peut s'ériger en juge de jugement.

En effet, lorsqu'après toutes les diligences, le juge des enfants estime que l'infraction à l'égard du mineur n'est pas établi, il peut par jugement en chambre de conseil relaxer le mineur (**art.772 al 2-3°**) contrairement au juge d'instruction de droit commun qui dans ce cas ne peut rendre qu'une ordonnance de non lieu. Le jugement de relaxe définitif emporte autorité de la chose jugée et la survenance d'éléments nouveaux ne permet pas de rouvrir le dossier. Ce qui n'est pas le cas avec l'ordonnance de non lieu. Le mineur donc, une fois relaxé par le juge des enfants ne peut plus être poursuivi à nouveau pour la même cause. Le juge des enfants peut, outre le jugement de relaxe, prononcer d'autres jugements contenant des mesures dont l'objectif est de protéger l'enfant. Ce sont un ensemble de mesures dites mesures éducatives.

Cette duplicité des fonctions du juge des enfants écarte un des grands principes en matière de procédure pénale : le principe de la séparation des compétences. Principe, selon lequel la même autorité judiciaire ne peut intervenir à deux stades différents de la procédure. Cela parce qu' « on a estimé en effet que cette situation était imposée par la nécessité de bien connaître l'enfant ; or qui peut mieux juger le mineur sinon celui qui l'a suivi pendant toute l'instruction ». Aussi l'on a pu qualifier de « paternel » la fonction du juge des enfants.

La mise à l'écart de ce principe va être encore observé à travers les autres juridictions, les juridictions même de jugement.

b- Les juridictions de jugement

L'article 756 du code de procédure pénale pose le principe de la spécialisation des juridictions de jugement à l'endroit de l'enfant. Aussi, aux termes de cette disposition, les mineurs auxquels est imputée une infraction qualifiée délit ou crime ne sont-ils justifiables que des tribunaux pour enfants ou de la cour d'assise des mineurs.

- Les tribunaux pour enfants

Tout comme à la phase d'instruction, au niveau du jugement aussi le mineur bénéficie pour être jugé d'une juridiction spéciale.

En effet, lorsque le mineur est suspecté d'infraction, notamment un délit, et qu'après l'instruction de son dossier le juge des enfants estime qu'il n'y a pas lieu à son endroit de rendre un jugement en chambre de conseil comme le **prévoit l'article 772 al 2-3° du code de procédure pénale**, il peut par ordonnance renvoyer le mineur devant le tribunal pour enfant.

En cas de crime, le juge des enfants par une ordonnance, renvoie le mineur devant le tribunal pour enfants, s'il s'agit d'un mineur de seize ans (**art.772 al 2-2° du C.P.P**). C'est dire que le tribunal pour enfants est compétent pour connaître des délits commis par tout mineur et sa compétence s'étend en matière criminelle à l'égard des mineurs de seize ans. Tout ceci répond toujours au souci du

législateur de réserver un traitement spécial au mineur délinquant mais surtout de le protéger dans sa personnalité. Cela justifie la composition de ce tribunal spécial pour enfants.

Le tribunal pour enfant est composé d'abord du juge des enfants qui n'est autre que celui qui procède à l'instruction du dossier du mineur. Ici encore et véritablement, le principe de la séparation des compétences en vue de garantir l'impartialité du juge à l'égard du prévenu est écarté. Cela pour les mêmes raisons que celles sus indiquées qui motivent l'attribution d'une compétence de juge de jugement au juge des enfants. Outre le juge des enfants qui assure la présidence du tribunal pour enfant, il y a deux assesseurs nommés par le ministre de la justice qui obéissent aux mêmes critères de qualités requises pour le juge des enfants selon **l'article 780 al 2 in fine du code de procédure pénale**. Ces assesseurs sont en effet choisis parmi les personnes de l'un ou l'autre sexe qui se sont signalées par l'intérêt qu'elles portent aux questions de l'enfant en plus de leur compétence.

Le mineur est, en somme à ce niveau, jugé par des personnes qui connaissent, comprennent et ont une expérience des problèmes du mineur. Car, faut-il encore le rappeler, l'objectif toujours poursuivi c'est de bien d'appréhender la personnalité du mineur mais aussi surtout de prendre des mesures appropriés à sa rééducation donc à sa réintégration sociale.

La compétence du tribunal pour enfant en matière criminelle à l'égard du mineur de moins de seize ans a été confirmée par la cour suprême faisant une application stricte **des articles 772 et 774 du code de procédure pénale**. Aussi a-t-il cassé un arrêt de la chambre d'accusation renvoyant une mineure de treize ans accusée de crime devant la cour d'assise des mineurs.

Par ailleurs, aux termes de **l'article 781 al 3 du code précité**, le tribunal pour enfants reste saisi à l'égard du mineur de moins de seize ans lorsqu'il décide d'appliquer une qualification criminelle aux faits dont il avait été saisi sous une qualification correctionnelle.

Tout comme le juge des enfants, l'on peut retrouver sur l'ensemble du territoire un tribunal pour enfants garantissant ainsi au mineur son droit d'être jugé par une juridiction spéciale.

Si le mineur de moins de seize ans accusé de crime est jugé par le tribunal pour enfants, il n'en est pas de même pour celui de plus de seize ans. Ce dernier, lui, comparaît devant la cour d'assise des mineurs.

-La cour d'assise des mineurs

Lorsque le mineur poursuivi pour crime est âgé de seize à dix huit ans, le tribunal pour enfant ne peut connaître de sa cause. La chambre d'accusation doit le renvoyer devant la cour d'assise des mineurs. Ce renvoi peut concerner les inculpés adultes, s'il en existe, qui sont impliqués dans la même cause ou au contraire, ceux-ci peuvent être renvoyés devant la cour d'assise de droit commun par une disjonction de poursuite comme le **dispose l'article 774 al 2 du code de procédure pénale**. C'est dire que cette cour est compétente pour juger tous les accusés mineurs ou majeurs lorsqu'ils sont impliqués dans la même cause. Son caractère de juridiction spéciale pour mineur semble édulcoré mais cette possibilité peut être expliquée par deux raisons essentielles. La première est que la disjonction résulte de la contradiction qui peut exister dans les décisions des deux juridictions sur la même cause. La seconde raison est que la cour d'assise des mineurs peut appliquer à l'encontre du mineur âgé de seize ans au moins les mêmes peines qu'un adulte si elle décide d'exclure l'accusé mineur du bénéfice de l'excuse atténuante de minorité (**art.778 al 2-2° du C.P.P**).

Néanmoins sa spécificité apparaît dans sa composition. La cour d'assise des mineurs est composée de six jurés, trois magistrats dont un président de chambre ou un conseiller de cour d'appel, comme la cour d'assise de droit commun, qui est le président de cette cour et de deux juges des enfants. La présence des deux juges des enfants dans la composition de cette cour est impérative sauf impossibilité selon **l'article 776 al 4 du code précité**. Et nul doute que le juge des enfants ayant instruit l'affaire fera partie de cette

cour, la cour d'assise étant tenu au siège du tribunal de première instance dans le ressort duquel a été instruite la cause.

Cette cour dans sa décision doit impérativement se prononcer sur l'application au mineur d'une condamnation pénale et sur l'exclusion de celui-ci du bénéfice de l'excuse atténuante de minorité. Sinon sa décision encourt la cassation sur le fondement de **l'article 778 al 2-1° et 2° du code précité**.

En instituant des juridictions spéciales pour des causes impliquant les mineurs, le législateur a aussi institué devant ces juridictions une procédure spéciale.

c- Une procédure spéciale

Lorsqu'un mineur est impliqué dans une cause, son traitement en terme de procédure doit différer de celui du majeur. C'est en substance ce que recommandent **l'article 40 al 3 de la convention sur les droits de l'enfant**. Bien que préexistant à cette recommandation, la législation ivoirienne semble l'observer (**art.766 et suiv. du C.P.P**). Car, devant les juridictions spéciales instituées pour les mineurs, la procédure suivie est plus ou moins aussi spéciale. Cette spécificité de la procédure en faveur du mineur s'observe notamment en matière d'instruction. Et tout au long de la procédure allant jusqu'à la condamnation ou à la relaxe ou acquittement du mineur, la publicité des débats est interdite ou réduite.

La connaissance de la personnalité du mineur impliqué dans une cause est très fondamentale et constitue de ce fait une exigence pour le juge des enfants. Elle permet de prendre des mesures idoines nécessitées par sa situation. C'est sûrement à cause de cette nécessité qu'il est permis au juge des enfants de procéder à des enquêtes par voie officieuse (**art.769 al 2 in limine du C.P.P**), c'est-à-dire sans formalisme particulière. Cette connaissance nécessite une enquête et des investigations approfondies est souvent longue. IL y a de ce fait des procédures qui ne peuvent être appliquées au mineur. Ainsi, la procédure de flagrant délit et la citation directe ne

peuvent être suivies contre le mineur (**art.766 al 2 C.P.P**). Ces deux procédures sont jugées trop expéditives et donc ne peuvent permettre une véritable connaissance de la personnalité du mineur. Aussi, la méconnaissance de cette disposition emporte l'infirmité ou la cassation de la décision rendue. C'est dire en somme que l'instruction est obligatoire en matière criminelle et délictuelle à l'égard du mineur contrairement au cas de l'adulte où le caractère obligatoire ne s'observe qu'en matière criminelle et seulement en matière délictuelle lorsque la loi le prévoit expressément (**art.77 du C.P.P**).

Par ailleurs, compte tenu de l'inaptitude du mineur à opérer un véritable discernement et à se défendre tout seul, lorsque des poursuites sont engagées contre lui ses parents ou gardiens doivent être informés selon **l'article 770 al 1 du code de procédure pénale**. Aussi, ceux-ci doivent-ils lui choisir un avocat ou à défaut le juge des enfants désigne ou en fait désigner un par le bâtonnier (**art.770 al 7 C.P.P**) c'est en substance ce que prescrivent l'article 17-c-iii de la charte et l'article 40-b-ii de la convention. S'il n'y a pas possibilité de désigner un avocat parce qu'il ne réside d'avocat dans la juridiction, un défenseur est choisi pour le mineur parmi les personnes présentant les garanties désirables (**art 770 al 1 et 2 du CP.P**). Lesquelles garanties vont de la connaissance de la loi à l'intérêt que porte cette personne à la question de l'enfance. L'assistance de l'enfant par un avocat peut avoir lieu depuis la phase policière de l'enquête. Cette assistance a été instituée en faveur de tout individu. Cependant à l'endroit du mineur plus qu'une faculté, cette assistance doit être un droit et doit de ce fait être expressément affirmée. Tout ceci répond au souci de ne pas voir la dignité du mineur bafouée durant l'instruction mais de s'assurer que toutes les garanties légales qui lui sont accordées, sont observées.

Le législateur ivoirien pour mieux assurer le bon traitement du mineur pendant la phase policière de l'instruction a créé une brigade des mineurs dont la compétence est de traiter de toutes les affaires concernant les mineurs, les mineurs délinquants mais aussi les mineurs victimes. Cependant, cette brigade spéciale n'intervient que sur le territoire d'Abidjan, et les agents qui en font partie n'ont pas une formation spéciale sur les questions de l'enfance pas plus

que les autres agents dans les commissariats et les gendarmeries. De la sorte, il n'est pas rare de constater que les mineurs arrêtés ou interpellés par ces structures fassent l'objet de pratiques traumatisantes et humiliantes. Alors que les contacts entre les services de répression et le jeune délinquant doivent être établis de manière à favoriser son bien-être et à éviter de lui nuire.

Le mineur peut-il faire l'objet de garde à vue et de détention préventive ?

Le législateur ivoirien ne prévoit pas expressément de disposition quant à la garde à vue du mineur contrairement à son homologue français. A défaut de disposition spéciale, nous pensons que c'est le droit commun de la garde à vue qui s'applique et d'ailleurs c'est ce que la pratique donne de constater. Dans tous les cas, le mineur doit comparaître dans le délai de quarante huit heures au plus tard devant le juge des enfants ou le tribunal pour enfants. C'est dire que si le mineur doit faire l'objet de garde à vue, elle ne peut excéder quarante huit heures.

Quant à la détention préventive, le mineur ne peut en faire l'objet que de façon exceptionnelle. En effet, pendant l'instruction, lorsque les circonstances et la personnalité du mineur l'exigent, celui-ci peut faire l'objet de mesures de garde provisoire qui vont de sa remise provisoire à ses parents à sa remise à un établissement ou institution de formation professionnelle ou de soin. La mesure de garde est toujours révoquée et peut être dans le cas échéant exercée sous le régime de la liberté surveillée. Cependant, lorsque la détention préventive apparaît indispensable ou lorsqu'il est impossible de prendre toute autre mesure, le mineur de plus de treize ans peut être placé dans une maison d'arrêt, dans un quartier spécial, ou à défaut dans un local spécial c'est-à-dire qu'il doit être séparé des majeurs. Quant au mineur de treize ans, il ne peut faire l'objet d'une telle mesure que par ordonnance motivée du juge des enfants et s'il y a prévention de crime. L'on a voulu ainsi éviter au mineur les traumatismes psychologiques et les contacts négatifs avec les adultes que cette mesure peut entraîner. Mais pour que le mineur puisse bénéficier de ces différentes dispositions instituées à son endroit, encore faut-il que sa qualité de mineur soit établie.

Cette qualité ne peut être établie que par certains documents dont le législateur accorde une importance certaine à leur production. Ce sont notamment les pièces d'état civil ou jugement supplétif ou tout document corroboré par une expertise médicale (**art.760 du CP.P**). Si ces documents n'ont pu être produits immédiatement par les parents, l'officier d'état civil peut être requis pour la délivrance. Dans ce cas il doit s'exécuter dans le mois de la réception de la réquisition sous peine d'amende sauf excuse jugée valable. Ceci souligne encore toute l'importance et la nécessité qu'il y a d'enregistrer ou de déclarer les naissances à l'état civil aux fins d'établissement de l'acte d'état civil de l'enfant. La production des documents attestant la qualité de mineur est d'autant plus importante que la non détermination de son âge réel peut lui être préjudiciable^{25(*)}.

La spécificité de la procédure se poursuit tout le long de celle-ci notamment par la réduction ou l'interdiction de la publicité des débats.

- L'interdiction ou la réduction de la publicité des débats d'audience

La personnalité fragile du mineur peut ressentir un véritable choc psychologique lors de sa comparution en justice, se traduisant chez les uns par un sentiment de honte difficile à effacer, chez les autres par une attitude de bravade peu faite pour ouvrir la voie à une rééducation^{27(*)}. Dès lors, la vie privée du mineur ne peut être divulguée n'importe comment et doit être protégée. L'intérêt du mineur exige donc que les renseignements sur sa psychologie et sur sa famille ne soient pas livrés en pâture à des tiers. C'est en substance ce que prescrit **l'article 40 al 2 b-vii de la convention sur les droits de l'enfant**. C'est en cela que, le législateur ivoirien a entrepris de restreindre la publicité des audiences et d'interdire la publication des comptes rendus des procès des mineurs dans la presse par **l'article 782 al 4 du code de procédure pénale**.

A cet effet, sont seuls admis à assister aux débats du procès du mineur, les proches parents, les tuteurs ou le représentant légal, les membres du barreau etc. (**art.782 al 2 du C.P.P**). Aussi, le

président du tribunal peut-il à tout moment ordonner que, même les témoins se retirent après leur audition (**art.782 al 3 du C.P.P**). Cette mesure de restriction de la publicité des débats s'observe devant toutes les juridictions du jugement : tribunaux pour enfants^{28(*)}, la cour d'assise des mineurs^{29(*)}. Lorsque le juge des enfants doit rendre un jugement après son investigation, il doit le faire en chambre de conseil^{30(*)}. Même les tribunaux de police qui ne sont pas des tribunaux spéciaux sont astreints à cette mesure^{31(*)}.

Outre la restriction de la publicité des débats, une interdiction formelle est édictée en ce qui concerne la publication des comptes rendus des tribunaux pour enfants dans les livres, la presse, la radiophonie, la cinématographie ou tout autre mode sur le fondement de **l'article 782 al 4 du code précité**.

Le législateur va plus loin dans la protection du mineur en interdisant tout test ou illustration concernant l'identité et la personnalité du mineur. Cette interdiction est punie d'amende et même d'emprisonnement en cas de récidive (**art.782 al 5 du C.P.P**). Dans tous les cas cette infraction est une contravention. Quant au jugement, lui-même, bien que rendu en audience publique, en présence du mineur, il ne peut pas être publié avec la mention du nom du mineur (**art.782 al 6 du C.P.P**). Toutes ces mesures, juridictions et procédures spéciales à l'endroit du mineur dénotent toute la volonté du législateur ivoirien à accorder une place et importance prépondérante aux questions de l'enfance. Cette volonté se manifeste encore à travers les règles de fond.

*27-C.A de Bouaké 28 Mai 1999 précité, ici l'âge du mineur a été mal calculé malgré la délivrance de son acte de naissance. Né le 16 Novembre 1980, la cour lui attribut à la date du 8 Mars 1996, date des faits reprochés, 17 ans 4 mois , au lieu de 15 ans et presque 4 mois.

*28-Merle (R), Vitu (A), op. cit. p770

*29-Art. 777 al. 2 du C.P.P

*30-Art. 772 du C.P.P

*31-Art. 788 du .C.P.P

14-0-2- La protection du mineur relativement aux règles de fond.

Lorsqu' un mineur est impliqué dans une cause en enfreignant la loi pénale son traitement relativement aux règles de fond doit tout aussi être spécifique que son traitement relativement aux règles de forme.

En effet, lorsqu'un individu enfreint la loi pénale, il engage en principe sa responsabilité et encourt de ce fait des sanctions. Cependant, concernant le mineur la situation semble se présenter un peu différemment. **L'article 17.4 de la convention sur les droits de l'enfant et l'article 40.3 de la charte africaine sur les droits et le bien-être de l'enfant** prescrivent q'un âge minimum soit fixé en deçà duquel les enfants soient présumés ne pas avoir la capacité d'enfreindre la loi. Cela pose le problème de la responsabilité du mineur. Même si l'on présente juridiquement l'enfant comme ne pouvant avoir la capacité d'enfreindre la loi pénale à un certain âge, il peut tout de même dans les faits commettre une infraction. Mais là, il ne peut être privé de la liberté. Tout cela traduit le problème de la responsabilité du mineur et les mesures palliatives à la privation de la liberté du mineur. Il n'est tout de même pas exclu que le mineur puisse être privé de sa liberté pour avoir commis une infraction. Et si tel était le cas, le but essentiel doit être sa réhabilitation sociale.

a- La responsabilité de l'enfant et les mesures palliatives à la privation de sa liberté

Le mineur peut voir sa responsabilité engagée même si elle fait l'objet de réglementation particulière. Néanmoins, plusieurs mesures sont édictées pour pallier à la privation de sa liberté.

-La responsabilité pénale du mineur

La responsabilité consiste dans le fait pour un individu d'assumer ses actes. Elle s'appréhende différemment selon que l'on est en droit civil ou en droit pénal. Alors qu'en droit civil la responsabilité suppose une faute, un préjudice et lien de causalité, en droit pénal,

elle est beaucoup plus délicate. En effet, la responsabilité pénale suppose l'aptitude de l'individu à comprendre et à vouloir l'acte qu'il commet (**art.95 du C.P**). C'est dire que la responsabilité pénale n'est pas simplement le fait de commettre l'acte mais en encore faut-il comprendre et vouloir l'acte qu'on commet. C'est en cela que l'on distingue la responsabilité de l'imputabilité consistant en l'imputation d'un acte à un individu c'est-à-dire à le désigner comme le commettant de l'acte et à le sanctionner.

Par définition un enfant est immature mentalement. Il n'est donc pas capable de comprendre la portée de ses actes. Sa capacité de compréhension et sa faculté de discernement ne s'accroissent qu'au fur et à mesure de son développement. Il n'existe pas d'âge standard à partir duquel on peut dire que le mineur est capable de discernement. Mais l'on s'accorde à dire que l'enfant n'a pas cette faculté lorsqu'il est encore trop jeune. C'est pour cela que les normes internationales n'indiquent pas un âge en deçà duquel l'enfant doit être présumé incapable d'enfreindre la loi pénale. Elle invite plutôt chaque état à le fixer.

Le législateur ivoirien pour sa part a fixé alors le seuil de la responsabilité à dix ans.

En effet, aux termes de **l'art 116 al 1 du code pénal** : « les faits commis par un mineur de dix ans ne sont pas susceptibles qualification et de poursuites pénales ».

L'impossibilité de qualifier pénalement les faits est ainsi justifiée par l'absence de l'élément moral qui est l'un des éléments justifiant l'existence d'une infraction. C'est dire qu'à dix ans l'on ne peut tenir un enfant pour responsable. Etant donné que **l'art 116 du code pénal** ne prévoit aucune exception, on peut considérer qu'il pose une présomption irréfragable d'irresponsabilité de mineur de dix ans^{32(*)}. Néanmoins la victime du préjudice résultant des faits peut recourir à la responsabilité civile sur la base de **l'art 1384 al 1** pour être dédommée.

Contrairement aux législateurs ivoiriens, le législateur français ne fixe pas le seuil de la responsabilité, l'art 2 de l'ordonnance de 1945 indique simplement « les mineurs auxquels est imputé une infraction ». Interprétant cette disposition à contrario, certains

auteurs estiment que cela suppose qu'il y a des enfants qui par manque de discernement ne peuvent se voir imputer une infraction et qu'il revient au juge du fond dans chaque cas de dire si l'enfant avait suffisant ou non d'intelligence et de compréhension pour avoir conscience de la portée de son acte^{33(*)}. Nous partageons d'ailleurs cette position. Par contre d'autres auteurs estiment que l'ordonnance de 1945 a supprimé la question du discernement car « l'existence ou non d'un discernement, d'une maturité morale du mineur est sans importance. L'acte matériel étant prouvé, l'auteur de cet acte étant identifié, la prévention est établie^{34(*)} ».

La capacité de discernement du mineur allant grandissant avec son développement psychologique, le législateur ivoirien indique que la culpabilité du mineur de dix à treize ans peut être retenue, néanmoins il bénéficie de droit de l'excuse absolutoire selon **l'article 116 al 2 du code pénal**. C'est dire qu'il ne peut être tenu pour responsable et faire l'objet de sanction. En somme, le législateur pénal ivoirien retient que le mineur de moins de treize ans ne peut faire l'objet de sanction mais plutôt de certaines mesures dites éducatives. Le mineur donc à partir de treize ans peut voir sa responsabilité pleinement engagée pénalement et être privé de sa liberté. Cependant, la privation de la liberté est vue comme l'ultime recours et des mesures palliatives sont envisagées.

- Les mesures palliatives à la privation de la liberté du mineur

Aux termes de **l'article 757 al 1 du code de procédure pénale** « le tribunal pour enfants et la cour d'assise des mineurs prononcent suivant les cas, les mesures de protection, d'assistance, de surveillance et d'éducation qui semblent appropriées ». Il résulte de cette disposition que le mineur reconnu coupable d'une infraction n'est pas a priori passible de peines pénales notamment de peines privatives de liberté. D'ailleurs, le prononcé de telles peines doit être vu comme exceptionnel car s'attachant aux circonstances et à la personnalité du mineur (**art.757 du C .P.P**).

L'objectif poursuivi par le législateur lorsque le juge pénal intervient auprès de l'enfant est claire : protéger l'enfant et le transformer en un individu beaucoup plus meilleur. Objectif, qui s'accorde parfaitement avec celui indiqué par les législateurs internationaux : « le but essentiel du traitement de l'enfant durant le

procès et aussi s'il est déclaré coupable d'avoir enfreint la loi pénale est son amendement, sa réintégration au sein de sa famille et sa réhabilitation sociale » **(art.17 al 3 de la C.A.D.E).**

Les mesures prévues à l'effet de pallier à la condamnation à une peine privative de la liberté du mineur sont dans leur ensemble des mesures éducatives. Elles vont de l'admonestation du mineur à sa mise en liberté surveillée en passant par sa remise à ses parents **(art.770 et 772 al 2-3° du C.P.P).** IL peut aussi s'agir de son placement dans une institution ou établissement public ou privé d'éducation ou de formation professionnelle habilité, ou encore son placement dans un établissement médical ou médico-pédagogique habilité et enfin sa remise au service d'assistance de l'enfant **(art.770 du C.P.P).** Ces mesures sont donc multiples et cela donne la possibilité au juge de faire un choix conséquent, adapté et nécessité par l'état de délinquance du mineur.

Il faut noter que parmi ces mesures, certaines visent à ne pas séparer l'enfant de son milieu naturel. Il s'agit d'abord donc de remettre l'enfant dans son milieu naturel, évitant ainsi son déracinement. L'admonestation dite encore réprimande est la mesure la plus bénigne. Elle est exécutée par le juge. C'est une mesure qui peut avoir une portée réelle à l'égard du mineur `normal' qui n'a commis son acte que par manque de discernement ou même par légèreté ou entraînement^{35(*)}.

IL y a ensuite la remise du mineur à ses parents, à son tuteur ou à la personne qui en avait la garde. C'est une mesure très voisine de la première et souvent qui s'accompagne de celle-ci. L'admonestation ici pourra s'adresser aussi bien à l'enfant qu'à ses parents ou tuteur. Lorsqu'elle est faite en l'endroit de ces derniers, elle doit l'être hors de la présence de l'enfant.

D'autres de ces mesures par contre appellent une séparation de l'enfant d'avec sa famille. En effet, il peut arriver que les parents soient pour quelque chose dans l'état de délinquance de l'enfant, soit par leurs actes tels leur ivrognerie, ou par leur omission, manque d'attention nécessaire par exemple. Des fois, c'est le milieu où vit l'enfant qui favorise sa délinquance c'est l'exemple des mauvaises fréquentations de quartier. Dans ces situations le juge est amené à prendre une décision qui nécessite la séparation du

mineur de ses parents ou tuteur, ou de son milieu de vie habituel. Il peut ainsi le confier à une personne digne de confiance qui peut être ou non de la famille de l'enfant selon **l'article 770 al 4-1° du code précité**. Il peut aussi le placer dans une institution habilitée ou encore le remettre au service de l'assistance à l'enfance^{36(*)}.

L'ensemble de ces mesures sus indiquées peut être prononcé contre le mineur de treize ans si la prévention est établie à son endroit sur la base de **l'article 783 du code précité**. Elles peuvent être aussi prononcées mais par décision motivée à l'égard du mineur âgé de plus treize ans (**art.783 du C.P.P**). Ces derniers peuvent aussi faire l'objet de placement dans une institution publique d'éducation surveillée ou d'éducation corrective (**art.784 du C.P.P**). La mesure la plus radicale qui peut être prononcée contre le mineur est son placement dans une institution publique d'éducation surveillée ou d'éducation corrective.

Par ailleurs, le mineur peut aussi faire l'objet de liberté surveillée. C'est une mesure applicable au mineur délinquant qui consiste à maintenir l'enfant dans son milieu de vie naturel ou supplétif, en chargeant un délégué de compléter ou de corriger l'action éducative de ce milieu et de suivre l'éducation de l'enfant^{37(*)}. Cette mesure a donc la spécificité de faire intervenir deux catégories de personne dans la rééducation de l'enfant.

D'une part, les parents tuteur ou encore les personnes ayant la garde et d'autre part les délégués permanents ou délégués bénévoles à la liberté. Ces délégués sont des agents de l'état nommés par le ministre de la justice pour les uns (**art.798 al 2 in limine du C.P.P**) et des personnes bénévoles de l'un ou l'autre sexe nommées par le juge des enfants pour les autres (**art.782 al 3 du C.P.P**). Leur mission consiste en la rééducation des mineurs que le juge leur aura confiés.

Dans l'ensemble, ces mesures protectrices et éducatives qui peuvent être prononcées à l'égard du mineur et qui conduisent à sa séparation d'avec sa famille sont impérativement limitées dans le temps et le juge doit dans sa décision préciser la date d'expiration selon **l'article 785 al 2 du code de procédure pénale**. Ces mesures peuvent aussi dans leur mise en oeuvre être révisées à tout moment (**art.800 al 1 du C.P.P**). Ainsi le juge des enfants peut soit d'office,

soit à la requête du ministère public, des parents de l'enfant, de son tuteur ou de la personne qui en a la garde, soit sur un rapport du délégué à la liberté surveillée, statuer sur tous les incidents, instances modificatives de placement ou de garde de demande de remise de garde (**art.801 al 1 du C.P.P**). Néanmoins, seul le tribunal pour enfant est compétent lorsqu'il y a lieu de prendre à l'égard d'un mineur qui avait été laissé à la garde de ses parents ou tuteur, une autre mesure notamment une mesure de placement en institution ou établissement (**art.801al 2 du C.P.P**). L'ensemble de ces mesures malgré leur relative réglementation rencontre dans leur mise en oeuvre différents obstacles. Ces obstacles sont notamment liés d'une part aux personnes intervenant dans la mise en oeuvre notamment les délégués à la liberté surveillée. Ce sont les problèmes de moyens adéquats de travail, de qualification professionnelle etc. D'autre part, les obstacles sont liés à l'insuffisance des institutions de placement. Ce qui parfois rend difficile la décision des juges et les amène à décider en lieu et place d'une mesure éducative, une mesure de privation de la liberté du mineur. Toutefois, cette mesure doit être accompagnée de la réinsertion du mineur.

*32-Brill (J.P), précis de droit pénal général, éd. Unipaci, Abidjan 1985 p 45

*33-Tano (Y), O.P.Cit. p 408 ; Legeais, une délinquance très juvénile, D.1969.1.87

*34-Lazerges (Ch.), la responsabilité du mineur, cour de droit pénal, éd.corpo-droit 1982, p297

*35-Tano (Y), O.P.Cit. p 418

*36-Art. 784 du C.P.P

*37-Tano (Y), O.P.Cit. p 421

b- la privation de la liberté de l'enfant délinquant et sa réinsertion sociale.

C'est parce que le législateur veut éviter de priver sa liberté au mineur que de nombreuses mesures dites palliatives ont été édictées. Cependant la condamnation du mineur à une peine pénale notamment à une peine privative de liberté n'est pas exclue. Même les législateurs internationaux l'on admise aux termes de **l'article 17 al 2-a de la charte africaine sur les droits et le bien-être de l'enfant et de l'article 37-a de la convention sur les droits de l'enfant.**

Toutefois, lorsqu'un mineur a fait l'objet d'emprisonnement, il doit pouvoir bénéficier pendant son incarcération et/ou après celle-ci de mesures qui favorisent sa réinsertion sociale .

-La privation de la liberté du mineur délinquant

Un mineur peut certes être privé de sa liberté. Et même dans ce cas, il fait l'objet d'un traitement spécial par rapport à l'adulte. Dès lors la privation de la liberté du mineur obéit à certaines conditions et son exécution suit certaines modalités.

Aux termes de l'art 37-b de la convention sur les droits de l'enfant« l'arrestation, la détention ou l'emprisonnement d'un enfant doit être en conformité avec la loi, n'être qu'une mesure de dernier ressort, et être d'une durée aussi brève que possible ». Le législateur ivoirien a dans une certaine mesure observé ces prescriptions (**art.771 al 2 et suiv. du C.P.P**).

En effet, durant la procédure d'instruction, le juge d'instruction peut être amené à mettre en détention le prévenu ou l'accusé pour les nécessités de l'enquête ou encore pour éviter que celui-ci ne s'enfuit pour échapper à l'exécution de la sanction. Etant donné que l'on peut être jugé contumace. Le mineur aussi peut faire l'objet d'une telle mesure. Cependant, la prononciation de la détention préventive à l'endroit du mineur doit avoir un caractère indispensable et ce, en l'absence de toutes mesures alternatives selon **l'article 772** du code précité. Aussi, selon cet article, le mineur âgé de plus de treize ans ne peut-il être placé provisoirement dans une maison d'arrêt par le juge des enfants que si cette mesure

paraît indispensable ou encore s'il est impossible de prendre toutes autres dispositions. C'est dire que la mise en détention du mineur n'est que le dernier ou l'ultime recours. Mais, encore faut-il que le mineur ait plus de treize ans. Car, à l'égard du mineur de moins de treize ans, une telle mesure ne peut être prise que par ordonnance motivée et s'il y a prévention de crime (**art.771 al 2 du C.P.P**). Le mineur de treize ans ne peut donc être mis en détention lorsqu'il est impliqué dans un délit.

Il est admis que l'enfant puisse faire l'objet de condamnation pénale par **l'article 786 du code de procédure pénale**, notamment de peine d'emprisonnement. Mais des dispositions sont prises pour que les peines à lui infligées ne soient pas assez élevées en tout cas contrairement à l'adulte. Aussi, le mineur de moins de seize ans bénéficie de droit par un raisonnement a contrario de **l'article 758 du code de procédure pénale**, de l'excuse atténuante de minorité.

C'est une mesure qui entraîne la réduction des peines principales encourue^{38(*)}. Quant au mineur de plus de seize ans, le tribunal pour enfant et la cour d'assise des mineurs ont la faculté de ne pas retenir cette excuse à son égard. Mais cette décision doit être spécialement motivée (**art.758 al 2 du C.P.P**). Ils peuvent par exemple se fonder sur la dangerosité du mineur en tant que délinquant ou son statut de récidiviste. En ce qui concerne la cour d'assise, elle doit explicitement et spécialement se prononcer sur l'exclusion du mineur de seize ans accusé de crime du bénéfice de l'excuse atténuante, mais aussi sur l'application à celui-ci d'une condamnation pénale sinon sa décision encourt la nullité.

Dans tous les cas, si l'infraction commise par un mineur de plus de treize ans est un délit, la peine qui peut être prononcée contre lui ne peut s'élever au dessus de la moitié de celle à laquelle il aurait été condamné s'il avait eu dix huit ans (**art.786 al 2 du C.P.P**). C'est dire qu'en matière de délit le mineur bénéficie de droit d'une diminution de moitié de sa peine eu égard à celle que peut subi le majeur. Cette mesure doit pouvoir bénéficier à notre avis aussi aux mineurs âgés de seize à dix huit ans étant donné que **l'art 786 al 2 précité** ne fixe pas de maximum en terme d'âge si ce n'est la majorité.

En somme, le mineur peut être privé de sa liberté mais non pas sans condition. Même s'il ne peut bénéficier des mesures éducatives, son statut de minorité est pris en compte dans sa sanction et même dans l'exécution de celle-ci.

-La mise en oeuvre de la privation de la liberté du mineur

Lorsque les circonstances et la personnalité du mineur exigent qu'il soit prononcé contre lui une peine privative de liberté ou lorsqu'une mesure de détention provisoire a été prononcée contre lui, l'exécution de cette détention ou de cette peine se fait dans des conditions bien particulières.

En effet, le but essentiel poursuivi à l'endroit du mineur dans le processus pénal est son amendement, sa réhabilitation et sa réinsertion sociale. Dès lors, son incarcération doit pouvoir répondre à un tel objectif dans sa mise en oeuvre. Aussi, même si les mineurs délinquants sont soumis à un emprisonnement collectif, ils doivent être séparés des adultes^{39(*)}. Cette mesure répond aux soucis de ne pas faire fréquenter au mineur des individus adultes et dangereux qui puissent l'influencer négativement. La probabilité pour que le mineur ressorte plus dangereux de prison en côtoyant des adultes criminels est grande. Dès lors, la séparation des mineurs des adultes doit être réalisée aussi complètement que possible (**art.33 du décret de 1969**). C'est alors qu'au sein de la Maison d'Arrêt et de Correction d'Abidjan dite M.A.C.A, un quartier spécial pour enfant dit Centre d'Observation des Mineurs ou C.O.M a été créé pour recevoir les mineurs. Aussi sont admissibles au sein de ce centre des individus âgés de moins de vingt et un ans et placés sous ordonnance de garde provisoire ou sous mandat de dépôt. Cela s'explique par la majorité civile qui est en vigueur même si la majorité pénale est fixée à dix huit ans. Ceci a pour conséquence de mettre ensemble, des mineurs au sens de la charte de la africaine sur les droits et le bien-être de l'enfant et de la convention sur les droits de l'enfant et des jeunes adultes de 18 à 21 ans.

Le centre conçu pour recevoir cent vingt personnes au maximum, il en reçoit aujourd'hui plus qu'il n'en faut. Ce qui crée une exigüité des lieux et met nécessairement les enfants dans des conditions beaucoup plus difficiles. Parfois, les mineurs violents sont transférés dans l'un des bâtiments pour adultes. Ce qui est illégal et

a pour inconvénient de livrer l'enfant à l'influence certaine et non appropriée de la prison pour adultes. Ceux-ci font des mineurs leurs larbins dont ils usent et abusent^{40(*)}.

Dans les prisons de l'intérieur du pays, il n'y a pas de quartier spécial pour mineurs. Dès lors, les mineurs détenus dans ces prisons sont soit placés dans des locaux particuliers, soit confondus aux adultes. Ce qui n'est pas sans conséquences.

Par ailleurs, les mineurs sont soumis à un régime particulier qui fait une large place à l'éducation et doit les préserver de l'oisiveté. A cette fin, ils sont soumis aux activités scolaires ou de formation professionnelle correspondant à leur âge et degré d'instruction **(art.34 du décret de 1969 précité)**.

En cela, les enfants au sein du centre sont surveillés par une équipe éducative composée d'anciens surveillants pénitentiaires et de criminologues. Très limités dans leurs moyens, les éducateurs occupent les enfants du mieux qu'ils peuvent par des activités de jardinage, couture, ébéniste, corvée de nettoyage, etc.

Ils sont chargés en plus de la direction des activités, d'observer les comportements des mineurs et d'en faire un rapport au juge des enfants. Dans l'exécution de leur sanction, les mineurs doivent séjourner en plein air aussi longtemps que les conditions atmosphériques et les nécessités du service le permettent **(art.35 al 1 du décret de 1969 précité)**.

Même si à l'intérieur du Centre d'Observation des Mineurs, les enfants se livrent à quelques activités éducatives, leur réinsertion se déroule véritablement dans un autre centre.

- La réinsertion du mineur délinquant (centre de rééducation de Dabou).

Afin de faire du mineur délinquant un individu meilleur à la fin de tout le processus de la procédure pénale y compris l'exécution de la peine, par sa réintégration sociale^{41(*)}, le gouvernement a créé un centre, le centre de rééducation de Dabou, pour assurer sa rééducation sociale^{42(*)}.

Aussi, le centre poursuit- il des objectifs précis par rapport à ceux qui y sont admis et il a un mode de fonctionnement.

Initialement, le centre a été crée pour recevoir des mineurs délinquants au sens de **l'art 756 du code de procédure pénale**. C'est dire que sont admissibles en principe au centre de rééducation de Dabou les mineurs jugés par les tribunaux pour enfants et la cour d'assise des mineurs et contre lesquels une mesure de placement, ordonnée conformément aux **articles 783 et 784 du code de procédure pénale**, a été prise.

Il s'agit donc d'une part, de mineurs qui ont fait l'objet d'ordonnance de garde provisoire, d'autre part de mineurs faisant l'objet de placement dans une institution d'éducation ou de formation professionnelle, de placement dans un internat approprié au mineur délinquant d'âge scolaire et enfin de mineurs de treize ans à l'égard desquels la prévention est établie et faisant l'objet de placement dans une institution d'éducation surveillée ou d'éducation corrective. Ces mineurs proviennent de toutes les prisons du pays. A leur arrivée, ils sont placés sous ordonnance judiciaire pour deux années de rééducation.

Le centre reçoit en plus des mineurs sus indiqués des mineurs venant d'autres centres sociaux qui n'ont pas commis de délits mais sur décision des parents approuvée par le juge des enfants. Il peut aussi s'agit de mineurs ayant faire l'objet de mesures d'assistance éducative au titre **de l'article 10-1° de la loi sur la minorité**. Le centre n'ayant pas fait l'objet de restructurations notables surtout en termes d'infrastructures sa capacité d'accueil est aujourd'hui largement dépassée. Ce qui n'est pas sans influence sur le traitement des enfants.

Les objectifs du centre sont principalement de deux ordres. D'une part, assurer la rééducation du mineur suivie de sa réinsertion familiale c'est-à-dire établir les liens entre mineurs et parents afin que ceux-ci les acceptent de nouveau et entretiennent avec eux des relations autres que celles qui ont conduit à leur séparation.

D'autre part, assurer l'initiation et la réinsertion professionnelle du mineur c'est-à-dire lui apprendre un métier qu'il pourra exercer après sa réinsertion sociale. Il pourra par là, se réhabiliter et éviter

la récidive. Dans cette perspective, à la fin de l'apprentissage un certificat de travail est délivré aux mineurs afin qu'ils trouvent un emploi ou qu'ils s'installent à leur compte. Cette dernière alternative n'est pas évidente d'autant plus que, des fonds ne sont pas mis à la disposition du mineur pour son installation. Par rapport à ces objectifs, le centre obéit à un mode de fonctionnement.

Le centre dans son fonctionnement, était soumis au régime d'un établissement scolaire. Aussi, la rentrée au centre s'effectuait-elle respectivement en Septembre et en Octobre de chaque année. Le centre respectait par ailleurs le calendrier des congés scolaires pendant lesquels les mineurs sont admis dans leur famille où ils sont suivis par un service social. Cela pour a but de favoriser la réinsertion familiale des mineurs et d'évaluer leur comportement afin de mieux orienter leur traitement au centre. Mais depuis le 9 Janvier 1997, sous décision du ministre de la justice, le centre peut désormais accueillir de nouveaux pensionnaires à tout moment lorsque la nécessité est confirmée par le juge des enfants. A la fin de chaque année chaque pensionnaire est évalué par l'équipe pédagogique. Les mineurs, au centre sont soumis à un régime interne et en cas de maladie ils sont entièrement pris en charge. Le centre comprend en son sein différents services notamment le service socio-éducatif, le service socio récréatif et le service de la formation professionnelle. Ces services concourent dans leur ensemble à l'objectif du centre qui est de faire du mineur délinquant un citoyen réintégré dans la société avec de nouvelles valeurs sociales.

*38-Voir art.114 du C.P pour les proportions de réduction

*39-Art. 7-2° du Décret 69-189 du 14 Mai 1969 portant réglementation des établissements pénitentiaires et fixant les modalités d'exécution des peines privatives de liberté, J.O.R.C.I 1969

*40-Tano (Y), op. cit. p 435

*41-Art.40-a in fine de la C.D.E et art 17-3 de la C.A.D.E

*42-Art. 1 de l'Arrêté 513/MJ/DDPES du 11Déc. 1967 J.O.R.C.I 1968

15-0- Conclusion générale et recommandations

La problématique des droits de l'enfant s'est posée à travers le monde et continue de se poser au regard du récent protocole américain dénommé Harkin-Engel. Dans la recherche de solution, divers accords ou conventions ont été conclus entre les Etats. Ces accords et conventions pour la plupart engagent les Etats signataires à prendre des mesures concrètes en vue de l'effectivité de ces différents textes. Dans le cadre de ce rapport, il nous revenait de relever la place des droits de l'enfant en cote d'ivoire.

En côte d'Ivoire, la situation de l'enfant semble avoir été depuis toujours une préoccupation au regard de la préexistence des lois ivoiriennes sur l'enfant à la convention sur les droits de l'enfant et à la charte africaine sur les droits et le bien-être de l'enfant. Ce qui explique en partie la ratification de presque tous les accords internationaux relative à l'enfance. La promptitude de la côte d'Ivoire à ratifier la convention sur les droits de l'enfant ^{43(*)} considérée aujourd'hui comme la norme de référence en matière de droits de l'enfant ainsi que l'adoption par l'Assemblée Nationale du protocole facultatif de la convention sur les droits des enfants à en vue de sa ratification finissent par convaincre.

En effet, la plupart des lois ivoiriennes, stricto sensu, mettant en oeuvre les dispositions de la convention sur les droits de l'enfant et de la charte africaine sur les droits et le bien-être de l'enfant préexistent à ces deux normes. Ces règles ont été édictées en vue de la mise en oeuvre d'autres normes internationales relatives à l'enfant qui, elles aussi, préexistent à cette convention et à cette charte mais abordent dans une certaine mesure les mêmes sujets que celles-ci. Ou encore, ces règles ont été édictées par le législateur

ivoirien en tenant compte de l'évolution de sa société. Cette préexistence fait qu'aussi bien dans le cadre familial que dans le cadre extrafamilial, la protection actuellement donnée à l'enfant par ces règles internes par rapport à l'esprit et quelques fois même à la lettre de la convention et de la charte reste insuffisante, lacunaire. Certaines fois même, les règles internes sont en contradiction ou du moins violent les dispositions de ces normes internationales. D'autres fois encore, ce sont des décrets ou arrêtés d'application qui doivent être pris mais qui ne l'ont jamais été. Tout cela rend nécessaire, pour une mise en oeuvre efficace des dispositions de ces normes internationales, le toilettage de certains de nos textes actuellement en vigueur ainsi que le renforcement d'autres de ces textes par des dispositions complémentaires.

Cela dit, il faut par contre noter que la Côte d'Ivoire a réalisé de réelles avancées législatives dans la mise en oeuvre des conventions internationales, donc dans la protection du mineur. Malheureusement, ces avancées légales ne sont pas suivies des mesures d'accompagnement nécessaires adéquates pour une applicabilité réelle sur le terrain au bénéfice des mineurs. L'on explique cela souvent par le sous-développement et le manque de moyens au niveau de l'État. Si bien que, nous en sommes à nous demander si le manque de moyens financiers, économiques et structurels ne constitue pas un obstacle ou une raison de la non adéquation ou du manque de politique de mise en adéquation des règles internes aux normes internationales ratifiées. Car, une chose est d'édicter des règles créant des droits individuels et collectifs pour les populations et une autre est d'assurer leur applicabilité en mettant en place les moyens et structures nécessaires. En d'autres termes, il nous semble que le développement économique et structurel d'un pays influence ou constitue un facteur essentiel à l'évolution de son droit. Car, bien souvent si les dispositions des accords internationaux ratifiés ont du mal à trouver une véritable application dans les pays sous développés ou que les règles internes d'application restent lettre morte dans ces pays, c'est parce que ces États en question n'ont pas les moyens et les structures adéquates exigés pour leur mise en oeuvre. A cela, bien sûr, il faut ajouter le manque de volonté politique.

Une autre difficulté d'application des textes internes relatifs aux mineurs en Côte d'Ivoire est le caractère épars de ces textes. En

effet, il n'existe pas dans notre pays un code de la minorité regroupant en son sein toutes les dispositions encadrant le mineur. Ce qui a pour conséquence de ne pas faciliter le travail des acteurs impliqués dans la protection des mineurs ; ou encore d'induire ces acteurs en erreur car nombre d'entre eux pour la plupart manque de formation quant à l'usage des instruments juridiques. Il est peut être temps que l'on songe à l'élaboration d'un code de la minorité. En ce qui concerne la société traditionnelle, il convient pour le suivi et contrôle des droits du mineur en milieu rural de renforcer le pouvoir du chef coutumier qui depuis longtemps reste sous le couvert d'une loi coloniale. Le chef du village doit avoir un budget de souveraineté pour mieux exercer ses fonctions. Cette reconnaissance du chef coutumier par la nouvelle législation fera de lui un relais efficace de l'administration. Il est souvent aberrant de constater que le combat national et international en faveur de la consolidation et de l'amélioration de l'enfant se fasse aux dépens des milliers d'enfants du monde traditionnel.

*43-Adoption faite par l'assemblée nationale lors des travaux de sa première session ordinaire le 16 Mai 2007.

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Appendix 12b: Local Laws and Regulations in Ghana

DIMENSIONS OF
CHILD LABOR LEGISLATION
IN GHANA

Prepared for:
WEST AFRICAN HEALTH ORGANISATION (WAHO)
and TULANE UNIVERSITY

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1.0: Foreword

Child-work is an acceptable practice in most African societies, including the Ghanaian society. In that regard, the child is expected to help with simple chores in the house and to graduate into activities that more significantly contribute to the economic and social well-being of the family.

This attitude to child-work is a vestige of the 'gather and hunt to survive instinct' developed by man from the dawn of time. That vestige is yet to be shredded off by the African society. Adults have to work to survive and children, it is felt, have to be taken through the drills of survival-work skills, the earlier started the better.

Somewhere in-between carrying out simple household chores and contributing effectively to the family's economic well-being, acceptable child-work inevitably crosses over into child labor which is unacceptable.

But to what specific levels well-intended child-work stretches into 'child-overwork' (i.e. child labor or the worst forms of child labor)? The answer to that question may be partly determined through diligent, scientific research.

What is certain is that addressing the problems of whatever level of child labor (or the worst forms of child labor) exist in Ghana will have to involve strategies including possible revision and enforcement of statutes on child labor and worst forms of child labor.

It should therefore be of great value to comprehensively collate, research and analyze the Dimensions of Child Labor Legislation in Ghana. Such an exercise should provide better understanding of the legislative capacity available for addressing issues relating to child labor and forced labor in Ghana.

It is in that spirit that this research has been carried out under the auspices of the West African Health Organisation (WAHO) in partnership with Tulane University.

2.0: **Acknowledgement**

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First and foremost, acknowledgement is extended to Messrs. Michael Adjei, Peter K. Dzikunu, Emmanuel Asamoah and Ebenezer Ofori who sifted through documents in libraries and archives and succeeded in tracking down the relevant child labor laws/legislation, their provisions and other information.

Their assignment was made possible with assistance and co-operation from personnel of the Public Records and Archives Department (PRAD), the Central Library in Accra, the Advent (Government) Press Bookshop, the Ghana Supreme Court Library and the Balme Library, University of Ghana, Legon.

Also acknowledged are key informants who responded to research instruments on the dimensions of child labor in Ghana. They, like officials of a number of child-related NGOs brought their deep insight into child labor and legal issues to bear on this report.

3.0: Executive Summary

3.1: Existing Laws/Legislation on Child Rights and Child Labor

The rights of the child, his/her development and welfare as well as protection from all forms of child labor are mandated by *The 1992 Constitution*; and are variously provided for under the following legislation:

- The Children’s Act, 1998, Act 560;
- Legislative Instrument (LI 1705), Child Rights Regulations 2002;
- Labor Act, 2003, Act 651;
- Labor Act Regulations, 2007, Legislative Instrument (LI) 1833;
- Human Trafficking Act, 2005, Act 694;
- Domestic Violence Act, 2007, Act 732;
- Adoption Act, 1962, Act 104;
- Juvenile Justice Act, Act 653;
- Marriage Ordinance(Amendment) Act, 2001, Act 606;
- The Apprentices Act, 1961, Act 45.

3.1.2: International Conventions Ratified by Ghana

Relevant International Conventions ratified by Ghana are:

- ILO Convention 182 (on worst forms of child labor);
- UN Convention on the Rights of the Child.

3.1.3: Legal Definitions of ‘child’, ‘young person’ and ‘juvenile’

i) Child:

- “A person below the age of eighteen (18) years” -- *Children’s Act, Act 560*;
- “A person below 18 years” -- *Human Trafficking Act, Act 694, Section 42*;
- “A person below 18 years” -- *Domestic Violence Act, Act 732, Section 42*;
- “A person under the age of 18” -- *ILO Convention 182, Article 2*.

ii) Juvenile:

- “A person under 18” (in conflict with the law)” -- *Juvenile Justice Act, Act 653, Section 1*;
- “A person who is under the age of 17 years” -- *Adoption Act, 1962, Act 104*.

iii) Young Person:

- “A person of over 18 years but below 21 years” -- *Labor Regulations, LI. 1833: (vis-à-vis prohibition from engagement in hazardous work)*;
- “A person of or above eighteen years who is under twenty-one” -- *The Children’s Act, 1998, Act 560, Section 124*.

3.1.4: Exact legal definitions of ‘age to work’

There are legal provisions for the minimum age at which a person can engage in light work, be in employment or be in hazardous employment.

- i) Minimum age for Light Work: “Thirteen years” -- *Children’s Act, Sect 90*;
- ii) Minimum age for Admission of a child to Employment: “Fifteen (15) years” -- *Section 90 of The Children’s Act, Act 560*;
- iii) Minimum age for Hazardous Employment: “Eighteen (18) years” -- *The Children’s Act, Act 560, Section 91*.

Other ‘age 18 thresh-holds’ under Ghana’s laws/legislation are:

- The right to vote – *1992 Constitution*;
- The right to make a will -- *Wills Act, Act 360*;
- The right to consume alcohol -- *Liquor Licensing Act, Act 331*;
- The right to contract any form of marriage – *The Children’s Act, Act 560*; and *Marriage Ordinance (Amendment) Act, 2001, Act 606*.

3.1.5: Absence of specific legislative mention of ‘worst forms of child labor’

No specific mention of ‘worst forms of child labor’ is made on Ghana’s legal statutes. However, legal provisions exist on a) hazardous work/employment and b) industrial undertakings whose definitions are in tune with the spirit and tenets of ILO Convention 182 and the Harkin-Engel Protocol– see *below*.

3.1.6: Comparative Notes on what constitutes ‘worst forms of child labor’:

3.1.6.1. ILO Convention 182

ILO Convention 182, Article 3 defines worst forms of child labor as:

”All forms of slavery or practices similar to slavery, such as sale and trafficking of children, debt bondage and serfdom and forced or compulsory labor; the use, procuring or offer of a child for prostitution, for the production of pornography or for pornographic performance; the use, procuring or offer of a child for illicit activities, in particular for the production and trafficking of drugs...; and work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.”

3.1.6.2. Harkin-Engel Protocol

Under the Harkin-Engel Protocol, the following constitutes “worst forms of child labor on cocoa farms: clearing the ground; weeding; maintaining cocoa trees; applying pesticides; harvesting; and pod breaking;

3.1.6.3. Ghana Laws/Legislation

Provisions under Ghana’s legal regime prohibit engagement of children in ‘hazardous work’ and ‘industrial undertakings’, both of which are defined in *Labor Regulations 2007, LI 1833, Section 7(1)* and *Children’s Act, Act 560, Section 93*, in terms that are synonymous with the ‘worst forms of child labor.’

3.2. Observations

3.2.1. Harmonization of laws on the child and child labor

Harmonization of legal statutes with UN Convention on the Rights of the Child and ILO Convention 182 has been advanced through legislative review by the Child Law Reform Advisory Committee from 1995-98 (see 9.2., page 27).

3.2.2. Administrative reforms relating to child rights and child labor

Very extensive administrative reforms have been initiated within the past 12 years to enhance the promotion of child rights, child welfare and to address/eliminate child labor (see 9.3., page 27).

3.2.3. Inadequate Enforcement of legislative provisions

A qualitative survey of nine 'key informants' during the research confirm the general public feeling that legal provisions on child rights and child labor are not adequately enforced in Ghana (see 7.2.1.4)

The key informants also express the view that the general public's unawareness of child rights and child labor issues, rather than inadequacy of legislation, is a major hurdle to the promotion of child rights and control/elimination of child labor.

3.3. Recommendations

Based on the research findings/observations, the following are recommended:

3.3.1. Sensitization programs for key sectors and general public

It is recommended that continuous sensitization and up-dating on child rights and child labor issues in general and the Harkin-Engel Protocol in particular are programmed and delivered to The Executive, The Legislature, The Judiciary, the Police, Civil Society Groups, NGOs on Children, the media and general public.

3.3.2. Integration of the language of the Harkin-Engel Protocol into legislation on child labor and 'the worst forms of child labor'

The relevant and potential legislation for such language integration are:

- *Cocoa Marketing Board (Cocobod) Establishment Law, PNDCL 81, which makes provisions for the "certification of cocoa for export" (see 10.2.2., page 31).*
- *Bye-laws of District Assemblies which are mandated by The 1992 Constitution to promote welfare and development of the child (see 10.2.2., page 31); as well as*
- *The Children's Act, Act 560 and Labor Act, Act 651.*

3.3.3. Strengthening, streamlining of traditional justice system

A traditional justice system based on customs, social norms as well as family and traditional governance hierarchy (see 4.2., page 7) is still prevalent, and very relevant in the rural areas needs to be strengthened and streamlined.

4.0: **Introducing the Issues**

4.1: **Traditional attitudes to rights of the child and child labor**

Traditional Ghanaian attitude to the child may be summed up in the saying that 'the child should be seen, not heard.' That means the child should be seen doing what an adult orders and not be heard expressing any personal views on issues.

This rather strict edict aims at having the child brought up to be cast in the mold of his/her forebears, to toe the line on traditional beliefs and be a hard-working in order to survive in often very harsh environments.

Being hard working is particularly considered a most desirable virtue in traditional society. Every child is expected to begin carrying out simple household chores at a very tender age. Thereafter, he or she is expected to follow in the footsteps of older members of the family as they headed for the farm or the fishing/hunting ground and prove his/her worth by working as hard as he/she could.

Reminiscent of the pre-agriculture, gather-and-hunt-to-survive era, the child who worked hard won accolades such as 'courageous, successful and good-marital-prospect.' The less hard-working was proclaimed 'lazy, a potential failure and a disgrace to the family'.

But even in the traditional setting, customary norms and unwritten rules have existed regarding 'forms of work' for a child and the child's 'ability to carry out specific forms of work.' As such, traditional society is able to recognize when a child is being 'over-worked' (abused) though such recognition may be influenced more by the physical stature of the child rather than his/her age.

4.2: **Traditional avenues for redress against child labor abuse**

While child work is general practice in traditional Ghanaian society, some avenues of redress and, or, rescue exist for the overworked child.

While neighbors and relatives have nothing against a child being trained to become a diligent worker, neighbors and relatives also have great sympathies for the child who is being truly overworked or abused. This is easy to understand: in the traditional setting, a child belongs to the community, not just to his/her parents.

Neighbors and relatives thus have the option to directly confront those who overwork/abuse a child or to report such behavior to the child's clan head. A hearing is then held (mostly without the direct participation of the child- victim).

Those found guilty of abusing a child are advised to mend their ways or have a fine imposed on them. The option exists at all times for the abused child to be relocated to an uncle, aunt, grandmother, grandfather or any other close relative who has a track record of child-friendly behavior.

In extreme cases where a child-victim sees no rescue/redress coming his/her way, such a child runs away and heads for a safer abode, normally under the roof of a close, friendly relative. The child then narrates his/her tale of woe and a process of traditional hearing (before the clan head) is held with same potential consequences as stated above.

4.3: **Colonial and International child rights legislation**

Colonialism directly imposed various Western-style practices including legislative processes and administration of justice. Today, traditional laws and forms of justice administration exist side by side with the Western-forms.

The forms of legislation introduced by the British were tailored on British Common Law with the rights of the child implicitly covered under the then prevailing basic and general concepts of human rights.

After the Second World War, the UN in 1948 adopted the Universal Declaration of Human Rights. Again, the rights of the child were only implicitly included. As a signatory to that declaration, Great Britain duly extended the Declaration's non-binding, non-enforceable principles to its colonies, including the Gold Coast (now Ghana).

In 1959, two years after Ghana's independence, the UN General Assembly adopted the Declaration on the Rights of the Child. Ghana subsequently ascribed to the new, child-specific Declaration. However, the Declaration on the Rights of the Child, also merely offered mere non-binding and non-enforceable principles.

In November 1989, the U.N. General Assembly adopted, without reservations, the Convention on the Rights of the Child (CRC). Ghana became the first country to ratify the Convention. The CRCC entered into force on the 2nd of September 1990 as international law following its ratification by the necessary 20-country members of the UN.

Ghana has since ratified *ILO Convention 182* which defines and prohibits the "worst forms of child labor."

Ghana has in the past 12 years carried out major reforms to relevant /legislation on child rights and child labor in conformity with the spirit and tenets of the relevant international conventions the country is signatory to.

4.4: **The Harkin-Engel Protocol**

The Harkin-Engel Protocol was signed by the international cocoa and chocolate industry in September 2001. The Harkin-Engel Protocol is firmly rooted in the provisions of *ILO Minimum Age Convention 138* and *ILO Convention 182* on the

'worst forms of child labor' and comes with a focused commitment to address the problem of child labor and forced labor on cocoa farms of the major producers - Cote d'Ivoire and Ghana

In each of the two focus-countries, the existing legal framework on child rights and child labor as well as enforcement of that legislation and the administration of justice will be a collective legitimate and important tool in efforts aimed at addressing the problem of child labor and forced labor on their cocoa farms.

In other words, addressing and eliminating whatever levels of child labor (or the worst forms of child labor) that exist on Ghana's cocoa farms will have to involve strategies including further legal reforms (if need be) as well as steps to ensure the existing and, or, necessary laws/legislation are fully enforced.

4.5: **Objectives of the research**

The objectives of this research, carried out under the auspices of the West African Health Organization (WAHO) in partnership with Tulane University, are to:

- Collate all existing child-related laws/legislation on Ghana's statutes;
- Analyze and research all laws/legislation on Ghana's statutes that deal with child rights, child labor and worst forms of child labor and worst forms of child labor on cocoa farms;
- Prepare a comprehensive report on the dimensions of child labor laws/legislation in Ghana.
- Provide recommendations based on the research findings and related observations.

5.0: Methodology

In early October 2007, the author of this report was contracted by the West African Health Organisation (WAHO) and Tulane University, acting through their Project Officer, Mr. Chris Bayer, to conduct research into dimensions of Ghana's child labor laws/legislation on the behalf of WAHO/Tulane.

Four assistants helped track down and acquire hard copies of existing laws, legislation and ratified international conventions that had provisions relating to 'the child,' 'child rights' and to 'child labor.' The scope covered areas including juvenile justice, education, apprenticeship, marriage, agriculture, mining, commerce, industry.

The second phase of the assignment entailed focusing on laws/legislation and ratified international conventions directly relating to child labor and analyzing, researching same in terms of the scope and thrust of their provisions in addressing issues of child rights, child labor and the 'worst forms of child labor' in Ghana.

Areas captured by the report include:

- Scope of legal provisions for the child and on child labor
- Legal definitions of terms and words relating to 'child'
- Scope of legal protection for the child against exploitative labor
- Scope of legal protection for the child against hazardous labor/work
- Forms of 'work' relating to the child and their definitions
- Definitions of types of work synonymous with 'worst forms of child labor'
- Exact legal definitions of 'age to work'
- Registration of children, young persons in 'industrial undertakings'
- Legal provision on health of young persons employed on any work
- Enforcement of regulations relating to child labor
- Legal provision on offences and penalties relating to child labor

The report makes observations (including views from some sector players) on dimension of child labor laws/legislation) and makes recommendations

A legal practitioner assisted with all aspects of the report.

The legal practitioner also served as one nine 'key informant' by responding to a survey instrument relating to Ghana's Legal Environment on Child Rights and Child Labor (see 7.0, page 20).

6.0: Existing legislation on child labor

Legislation/laws relating to the child and ‘child labor’

Ghana’s legislation/laws on the welfare and development of the child and on child labor have provisions that are in line with *ILO Convention 182*, *ILO Minimum Age Convention 138* and *UN Convention on the Rights of the Child*. The relevant existing legislation/laws are:

- i) *The Constitution of the Republic of Ghana, 1992: Article 28* of *The Constitution* mandates Government to ensure the rights of the child. *Article 28* also provides protection against exploitative labor. *Article 28, 34 (2) and 35 (c)* specifically provide that “no person shall be held in slavery or servitude (or) be required to perform forced labor.”
 - ii) *Children’s Act, 1998, Act 560*, which asserts Ghana’s commitment to the promotion of the physical, mental and social well-being of the Ghanaian child. *Act 560, Sections 12 and Section 87 (1)* state that “no person shall engage a child in exploitative labor.”
 - iii) *Labor Act, 2003, Act 651*, which sets out, in *Part VII, Sections 58-61*, under the heading ‘Employment of Young Persons’, the various provisions relating to child labor. *The Labor Act Regulations, 2007, Legislative Instrument (LI) 1833*, was passed as operational tool for *Labor Act, Act 65*; and
 - iv) *Human Trafficking Act, 2005, Act 694*, whose *Sections 2 (1), 3 (1) and 4 (1) of Act 694* variously prohibit the following: “a) human trafficking; b) provision of trafficked persons; and c) use of trafficked persons.”
- Human Trafficking Act, 2005, Act 694* asserts, in *Sections 1 (1) and (2)*, that ‘human trafficking’ may involve “exploitation of the vulnerable” and such exploitation may include “forced labor or services.”
- v) *Domestic Violence Act, 2007, Act 732*, which was enacted, according to the Act’s preamble, “to provide protection from domestic violence for women and children ...”
 - vi) *Adoption Act, 1962, Act 104*. This Act, according to the Act’s preamble, “provides for the adoption of children.”
 - vii) *Juvenile Justice Act, Act 653*, makes provisions for a system of justice for offenders under age 18.

viii) *The Marriage Ordinance (Amendment) Act, 2001, Act 606, which*, among other provisions, prohibits child-marriages and stipulates age 18 as the minimum age for contracting any form of marriage.

ix) *Apprentices Act, 1961, Act 45, which* provides for an “apprenticeship order” which will subject the provisions of the Act to any industry and, among other matters, set “the minimum age at which a person may commence to serve as an apprentice in such industry.”

x) *The Consolidated Criminal Code, 1998, Act 554*, which embodies all Criminal Code Amendments

6.2: International Conventions ratified by Ghana

International conventions ratified by Ghana and whose provisions have been incorporated into legislation relating to the child and all forms of child labor are:

i) *ILO Convention 182 (on worst forms of child labor)*. The convention outlines new instruments for the prohibition and elimination of the worst forms of child labor as the main priority for national and international action. *Convention 182* is intended to complement ILO Minimum Age Convention 138 for Admission to Employment.

ii) *UN Convention on the Rights of the Child*: Ghana was the first country to ratify the *UN Convention on the Rights of the Child (CRC)* which is “aimed at promoting child survival and development.”

6.3: Legal definitions of ‘child’, ‘young person’ and ‘juvenile’

6.3.1. Child:

i) “A person below the age of eighteen (18) years” -- *Children’s Act, Act 560*;

ii) “A person below 18 years” -- *Human Trafficking Act, Act 694, Section 42*;

iii) “A person below 18 years” -- *Domestic Violence Act, Act 732, Section 42*;

iv) “A person under the age of 18” -- *ILO Convention 182, Article 2*.

6.3.2. Juvenile:

i) “A person under 18 years (who is in conflict with the law)” -- *Juvenile Justice Act, Act 653, Section 1*;

ii) “A person who is under the age of 17 years” -- *Adoption Act, 1962, Act 104*.

6.3.3. Young Person:

i) (vis-à-vis prohibition from engagement in hazardous work): “A person of over 18 years but below 21 years” -- *Labor Regulations, LI. 1833*:

ii) “A person of or above 18 years who is under 21.” -- *The Children’s Act, 1998, Act 560, Section 124*.

6.4: **Scope of legal provisions on the child and on child labor**

Collectively, the existing Ghanaian Constitution mandates the State/Government to protect, develop and ensure the rights and welfare of the child.

Specific legislations under the legal regime make provisions for:

- Legal protection for the child against exploitative labor;
- Legal prohibitions against employment of children;
- Minimum age for work and definitions of 'work';
- Health of young persons employed on any work;
- Registration of young persons in an industrial undertaking;
- Enforcement of regulations relating to child labor;
- Offences relating to child labor; and
- Penalties on conviction for offences relating to child labor.

6.5: **Scope of legal protection for the child against exploitative labor**

The Children's Act, 1998; Act 560, Section 12, reinforces the constitutional assertion that "no person shall be held in slavery or servitude" and that "no person shall be required to perform forced labor."

These proclamations provide an umbrella protection against exploitative child labor, including the worst forms of child labor. Legal protection against exploitative child labor is specifically provided under a number of Legislations, including *The Children's Act, 1998; Act 560, Section 87 (1)* which reaffirms that "no person shall engage a child in exploitative labor."

The Children's Act, Section 87, defines 'exploitative child labor' as labor which "deprives the child of its health, education or development".

The Children's Act, 1998; Act 560, Section 88 outlaws exploitative child labor and specifically bans 'night work' which is defined (for children) as "work between 8 o'clock in the evening and 6 o'clock in the morning".

6.6: **Scope of legal protection for the child against hazardous labor/work**

Labor Act, 2003, Act 651, Part VII, Section 58, prohibits the employment of young persons in hazardous work and specifically prohibits the employment of a young person in an underground mine work.

Section (2) of the same *Act 651* empowers The Minister to, by legislative instrument, "determine the type of employment that is likely to expose a young person to physical or moral hazard."

Labor Regulations, 2007, LI 1833, Section 7 (1) further states that an employer shall not engage a young person in work which is listed, by The Minister, under a *Legislative Instrument*, as being hazardous

6.7 Forms of ‘work’, relating to the child and their definitions

The Children’s Act, 1998; Act 560, Sections 89-96 and the *Labor Act, 2003, Act 651, Sections 58 – 61* give legal recognition to three (3) forms of child-related work. These are:

- Light Work
- Employment
- Hazardous Employment

i) Light Work

This is defined under *The Children’s Act, 1998, Act 560, Sections 90 (2)* as: “work which is not likely to be harmful to the health or development of the child and does not affect the child’s attendance at school or his/her capacity to benefit from school work.”

ii) Employment

This is defined as:

“engagement in any economic work or activity which is performed during a specified period for pay (whether in cash or kind), profit or family gain.” -- *Report: Ghana Multiple Indicator Cluster Survey, Ghana Statistical Services*

iii) Hazardous Employment

This is defined under *The Children’s Act, Act 560, Section 91 (2)* as: “employment that poses a danger to the health, safety or morals of a person.” The Act lists specific forms of work which are considered hazardous and for which an employer shall not engage a young person.

6.8: ILO Convention 182 definition of ‘worst forms of child labor’

ILO Convention 182, Article 3, defines ‘worst forms of child labor’ as:

- “a) All forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labor, including forced or compulsory recruitment of children for use in armed conflict;
- “b) The use, procuring or offer of a child for prostitution, for the production of pornography or for pornographic performance;
- “c) The use, procuring or offer of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties; and
- “d) Work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.”

6.9: Types of work under Ghanaian legislation that are synonymous with ‘worst forms of child labor’ as defined by ILO Convention 182

The spirit and tenets of *ILO Convention 182* definition of ‘worst forms of child labor’ is reflected in the definitions of ‘hazardous work’, ‘hazardous employment’ and ‘industrial undertakings’ under the following Ghanaian legislation:

- i) *The Children’s Act, Act 560, Part V, Section 91*, defines ‘hazardous work.’ as: “employment that poses a danger to the health, safety or morals of a person.”

Section 91(3) of same *Act 560* states that ‘hazardous employment’ (which is synonymous with ‘hazardous work’) includes:

- “a) going to sea;
- “b) mining and quarrying;
- “c) portorage of heavy loads;
- “d) manufacturing industries where chemicals are produced or used;
- “e) work in places where machines are used; and
- “f) work in places such as bars, hotels and places of entertainment where a person maybe exposed to immoral behavior.

ii) *The Children’s Act, Act 560, Part V, Sub-Part 1, Section 93* defines ‘industrial undertakings’ as:

- “an undertaking other than one in commerce or agriculture and including
- “a) Mines, quarries, other works for extraction of minerals from the earth;
- “b) Undertakings in which articles are manufactured, altered, repaired, ornamented, finished, adapted for sale, broken up or demolished, or in which materials are transformed, including undertakings in shipbuilding or the generation, transformation, transmission of electricity or motive power; undertakings engaged in building and civil engineering work, including constructional, repair, maintenance, alteration and demolition work;
- “c) undertakings engaged in the transport of passengers or goods by road or rail including the handling of goods at docks, quays, wharves, warehouses and airports.”

iii) *Labor Regulations 2007, LI 1833, Section 7 (1)* defines ‘Hazardous work’ which is synonymous with ‘hazardous employment’ under the *Labor Regulations* as work which involves the following:

- ”a) manual lifting of weights which exceed twenty-five kilograms;
- ”b) work on scaffold and other structures at a height exceeding two and a half meters; the use of substances and materials that emit (i) radiation, or (ii) poisonous gases or fumes;
- “c) the use of dangerous chemicals;
- ”d) excessive noise;
- ”e) the felling of timber;
- ”e) night work exceeding eight continuous hours; or
- ”f) other situations considered by the Chief Labor Officer as hazardous.”

The Labor Regulations 2007, under Section 7 (2), further lists forms of work which are considered 'hazardous' and for which an employer shall not engage a young person. Those forms of work are:

- a) the production and screening of pornographic material, or work at areas in a hotel which are likely to corrupt the moral development of that young person

6.10: **Exact legal definitions of 'age to work'**

There are legal provisions for the minimum age at which a person can:

- Engage in light work;
- Be in employment; or
- Be in hazardous employment.

i) Minimum age for 'light work'

The Children's Act, 1998; Act 560, Section 90, stipulates that "the minimum age for the engagement of a child in light work shall be thirteen (13) years".

ii) Minimum age for admission of a child to employment

Section 90 of The Children's Act, Act 560, stipulates that "the minimum age for admission of a child to employment shall be fifteen (15) years".

iii) Minimum age for hazardous employment

Section 91, The Children's Act, 1998; Act 560, stipulates: "the minimum age for the engagement of a person in hazardous work is eighteen (18) years".

Other 'age 18 thresh-hold' legislative provisions are:

- The right to vote – *1992 Constitution*
- The right to make a will -- *Wills Act, Act 360*;
- The right to consume alcohol -- *Liquor Licensing Act, Act 331*;
- Right to contract any marriage – *Children's Act & Marriage Ordinance*

6.11: **Registration of children and young persons in 'industrial undertakings'**

Section 60 of Labor Act, 2003, Act 651, stipulates that:

"an employer in an industrial undertaking shall keep a register of the children and young persons employed by him and of the dates of their births if known or their apparent ages if their dates of birth are not known" (see 6.9(ii) for the definition of 'industrial undertakings').

6.12: Legal provision on health of young persons employed on any work

Labor Act, 2003, Act 651, Section 59, stipulates as follows:

- “(a) an employer shall not employ a young person on any work unless a medical practitioner has certified that the young person is in good health and is medically fit for the work”; and that
 “(b) where a person fails to comply with subsection (1), the person shall be ordered by the Minister to have the medical examination conducted.”

6.13: Enforcement of regulations relating to child labor

Sections 95 and 96 of The Children’s Act, Act 560, call for the enforcement of the Act’s provisions in both the (i) formal and (ii) informal sectors. The related provisions for that enforcement are as follows:

i) Enforcement in the formal sector

The enforcement procedures in the formal sector are outlined in *Section 95 (1), (2), and (3) of The Children’s Act, Act 560*, which stipulate that:

- “a) The District Labor Officer shall carry out any enquiry he may consider necessary in order to satisfy himself that the provisions of this Sub-Part with respect to labor by children and young persons in the formal sector are being strictly observed;
 “b) For purposes of this section, any person may be interrogated by a District Labor Officer; and that
 “c) If a District Labor Officer is reasonably satisfied that the provisions of this Sub-Part (on enforcement of the laws) are not being complied with, he shall report the matter to the police who shall investigate the matter and take the appropriate steps to prosecute the offender.”

ii) Enforcement in the informal sector

The enforcement procedures in the formal sector are outlined in *Section 96 (1), (2), (3), (4) and (5) of The Children’s Act, Act 560*, which stipulate that:

- “i) The Social Services Sub-Committee of a District Assembly and the Department (of Labor) shall be responsible for the enforcement of the provisions of (the Act) in the informal sector.
 “ii) Any person may be interrogated by a member of the Social Services Sub-Committee or Department [of Labour].
 “iii) Where the offender is a family member of the child whose rights are being infringed under this Sub-Part, the Social Services Sub-Committee or the Department shall request a probation officer or social welfare officer to prepare a social enquiry report on the matter.
 “iv) The report prepared under subsection (4) shall be considered by the police before any action is taken against the offender.
 “v) If the (the investigator) is reasonably satisfied that the provisions of this Sub-Part are not being complied with he shall report the matter to the police who shall investigate the matter and take the appropriate steps to prosecute the offender.”

6.14: Legal provisions on offences relating to child labor

Legislation/laws which specify child labor related offences are:

i) *The Children's Act, Act 560*

Part V, Sub-Part 1 (headed '*Child Labor*'), *Sections 87-92*, lists child labor related offences under *Act 560* as follows:

- "a) Engagement of a child in exploitative child labor;
- "b) Engagement of a child in night work;
- "c) Admission of a child under fifteen (15) years to employment;
- "d) Engaging a child under thirteen (13) years in light work;
- "e) Engaging a person under eighteen (18) years in hazardous work."

Section 93 of the above *Act 560*, also lists as an offence:

"failure by an employer to keep a register of children and young persons employed by him."

ii) *Labor Act, Act 651*,

Part VII on 'Employment of Young Persons', Sections 58-61 of the Labor Act lists child labor related offences as:

- "a) Engagement of a young person in any type of hazardous employment or work likely to expose the person to physical or moral hazard; including
 - "i) An underground mine work; or
 - "ii) Any type of work the Minister may determine, by *Legislative Instrument*, to be likely to expose a young person to physical or moral hazard."

6.15. Provisions for penalties on conviction for offences relating to child labor

i) *The Children's Act, Act 560*

Section 94 (1) of Act 560 states that "any person who contravenes provisions of the Act on the following: i) exploitative child labor; ii) minimum age for child labor; iii) minimum age for light work; iv) minimum age for hazardous employment; and v) registration of children and young persons in industrial undertakings commits an offence ..."

Penalty: An offender is "liable on summary conviction to a fine not exceeding c10 million or to imprisonment for a term not exceeding two years or to both."

Section 94 of The Children's Act, also stipulates that "any person who contravenes any other provision on its '*Employment of Children*' (*Sub-Part 1* headed '*Child Labor*', *Sections 87-92*) commits an offence."

Penalty: An offender is liable on summary conviction to a fine not exceeding c5 million or to a term of imprisonment not exceeding one year or to both."

ii) *Labor Act, Act 651,*

Part VII on 'Employment of Young Persons', Section 58, prohibits the employment of young persons in hazardous work including “any type of employment or work likely to expose the person to physical or moral hazard; underground mine work; and any type of employment that is determined by the Minister, under a Legislative Instrument, as likely to expose a young person to physical or moral hazard.”

Section 58 (4) stipulates that “a person who contravenes the provisions of *Part VII, Section 58* (i.e. the above paragraph) commits an offence.”

Penalty: An offender is liable on summary conviction to a fine not exceeding 100 penalty units.”

6.16: Scope of application of legal provisions on child labor

Sub-Part 1 (headed ‘Child Labor’) stipulates that all provisions under *The Children’s Act, Act 560, Part V (Employment of Children)* are to apply in

- i) the formal sector and
- ii) the informal sector.

6.17: Scope of provisions of other legislation/laws relating to child labor

i) *Human Trafficking Act, 2005, Act 694,*

Sections 2 (1), 3 (1) and 4 (1) of Act 694 prohibit human trafficking; provision of trafficked persons; and use of trafficked persons. *Act 694* asserts in *Sections 1 (1) and (2)*, that ‘human trafficking’ may involve “exploitation of the vulnerable” and that such exploitation may include “forced labor or services.”

According to *Section 1 (3) of the Human Trafficking Act*, “placement for sale, bonded placement, temporary placement, placement as services where exploitation by someone else is the motivating factor shall also constitute trafficking.”

In the context of child-victims of human trafficking, the above mentioned trafficking related activities (i.e.: exploitation of the vulnerable; forced labor or services etc.) has to qualify as ‘the worst forms of child labor.’

6.18: Judicial remedies – lodging of complaints

Under *Section 17 of The Children’s Act*, any person (including a child) can file a complaint where the right of a child as guaranteed by law is infringed or violated. No fee is paid for filing such cases and any person with significant interest in the issue can be invited to attend and deliberate in a child panel hearing the case.

6.19: Judicial decisions by judicial and quasi-judicial bodies

Reasoned judgment or orders delivered by a legally constituted Judicial or quasi-judicial body is binding on all parties though they (the parties) shall have the right of appeal under provisions of the *Courts (Amendment) Act, 2004, Act 673*.

7.0: Key Informants' Response to Questions on Ghana's Legal Environment on Child Rights and Child Labor

In order to verify that all pertinent legislation had been collected and analyzed, nine (9) legal and child rights experts from the government sector, civil society including NGOs and the cocoa sector were invited to serve as key informants on the dimensions of Ghana's legal framework on child labor,

Seven of the nine responded to the invitation. They were joined by two randomly selected Ghanaians and all nine (9) were qualitatively interviewed on the basis of the following survey instruments:

- (I) *Do you believe Ghana's existing laws/legislation on child rights and child labor are adequate/comprehensive enough?*
- (II) *Do you believe the on child rights and child labor conform/comply with international convention on child rights and child labor?*
- (III) *If you answer "NO" to either of or both 1 and 2 above: Can you suggest areas for possible law reform?*
- (IV) *Do you believe the existing laws on child rights and child labor are adequately enforced?*
- (V) *If you answer "NO" to 4 above. Can you suggest areas of possible law reform?*

7:1. Contacts' Institutions, Mode of 'Interview' and Response

<i>Contacts' Institutions</i>	<i>Verbal Interview</i>	<i>Written Questionnaire</i>	<i>Responses Received</i>
Ministry of Manpower	Yes	N/A	Yes
International Needs NGO	Yes	N/A	Yes
Law Reform Commission	N/A	Yes	Yes
Nat. Com. on Women/Children	Yes	N/A	Yes
Cocoa Mkt. Board (Legal Dept.)	N/A	Yes	No
Attorney General's Department	N/A	Yes	No
Min. Women & Children Affairs	N/A	Yes	Yes
Private Legal Practitioners (2)	Yes	N/A	Yes
"Man on the Street" (2)	Yes	N/A	Yes
Total	7	4	Yes 9; No 2

7.2. Analysis of Responses to Questions 1, 2 and 4

7.2.1. Analysis of Yes/No/Don't Know responses to Questions (I), (II) and (IV):

Question	Yes	No	Don't Know
(I). Do you believe Ghana's existing laws and legislation on child rights and child labor are adequate and comprehensive enough?	5	2	2
(II). Do you believe the laws on child rights and child labor conform/comply with international convention on child rights and child labor?	6	1	2
(IV). Do you believe the existing laws/legislation on child rights and child labor are being adequately enforced?	1	7	1

7.2.2. Analysis of responses to Question (III) i.e. 'Can you suggest areas of law reform?'

The given responses in order of priority are:

- i) Stiffer punishment for parents who abandon their children
- ii) Stiffer punishments for child rights and child labor offenders

7.2.3. Analysis of responses to Question (V) i.e. 'Why do you think the existing laws on child rights and child labor are not being adequately enforced?'

The given responses in order of priority are:

- i) Unwillingness of people to report cases
- ii) Lack of public awareness on issues
- iii) Lack of logistics for enforcement and justice administration agencies

7.3. Observations from Responses to Interviews

Nine key informants were qualitatively interviewed; their responses indicate that:

- i) Ghana's existing laws/legislation on child rights and child labor are adequate and comprehensive; and that
- ii) Ghana's laws/legislation on child rights and child labor are in conformity with the various relevant International Conventions; but that
- iii) Ghana's laws/legislation on child rights and child labor are not adequately enforced.

8.0: Summary of Findings

8.1: Constitutional provisions on the rights of the child

Article 28 of The 1992 Constitution mandates Government to ensure the rights of the child. *Article 28* also provides protection against exploitative labor. *Article 28, 34 (2) and 35 (c)* specifically provide that “no person shall be held in slavery or servitude (or) be required to perform forced labor.”

8.2: Other legislation/laws relating to the child and to ‘child labor’

The Children’s Act, 1998, Act 560
Legislative Instrument (LI 1705), Child Rights Regulations 2002,
Labor Act, 2003, Act 651,
Labor Act Regulations, 2007, Legislative Instrument (LI) 1833
Human Trafficking Act, 2005, Act 694,
Domestic Violence Act, 2007, Act 732
Adoption Act, 1962, Act 104;
Juvenile Justice Act, Act 653
Marriage Ordinance (Amendment) Act, 2001, Act 606
The Apprentices Act, 1961, Act 45

8.3 International Conventions ratified by Ghana

ILO Convention 182 (on worst forms of child labor)
UN Convention on the Rights of the Child

8.4 Legal definitions of ‘child’, ‘young person’ and ‘juvenile’

8.4.1. Child:

“A person below the age of eighteen (18) years” -- *Children’s Act, Act 560:*
 “A person below 18 years” -- *Human Trafficking Act, Act 694, Section 42:*
 “A person below 18 years” -- *Domestic Violence Act, Act 732, Section 42:*
 “A person under the age of 18” -- *ILO Convention 182, Article 2*

8.4.2. Juvenile:

“A person under 18 years (who is in conflict with the law)” -- *Juvenile Justice Act, Act 653, Section 1*
 “A person who is under the age of 17 years” -- *Adoption Act, 1962, Act 104*

8.4.3. Young Person:

“A person of over 18 years but below 21 years” -- *Labor Regulations, LI. 1833:*
 (vis-à-vis prohibition from engagement in hazardous work):
 “A person of or above eighteen years who is under twenty-one” -- *The Children’s Act, 1998, Act 560, Section 124*

8.5: **Scope of legal provisions for the child and on child labor**

Collectively, the existing Ghanaian legal regime makes provisions for:

- i) Legal mandate to State/Government to protect, develop and ensure the rights and welfare of the child;
- ii) Legal protection for the child against exploitative labor;
- iii) Legal prohibitions against employment of children;
- iv) Minimum age for work and definitions of 'work';
- v) Health of young persons employed on any work;
- vi) Registration of young persons in an industrial undertaking;
- vii) Enforcement of regulations relating to child labor;
- viii) Offences relating to child labor; and
- ix) Penalties on conviction for offences relating to child labor.

8.6: **Scope of legal protection for the child against exploitative labor**

The Children's Act, 1998; Act 560, Section 12, reinforces the constitutional assertion that "no person shall be held in slavery or servitude" and that "no person shall be required to perform forced labor."

The Children's Act, 1998; Act 560, Section 87 (1) reaffirms that "no person shall engage a child in exploitative labor."

The Children's Act, Section 87, defines 'exploitative child labor' as labor which "deprives the child of its health, education or development." *Section 88*, outlaws exploitative child labor including 'night work' (i.e., for children, "work between 8 o'clock in the evening and 6 o'clock in the morning").

8.7: **Scope of legal protection for the child against hazardous labor/work**

Labor Act, 2003, Act 651, Part VII, Section 58, prohibits the employment of young persons in hazardous work and specifically prohibits the employment of a young person in an underground mine work.

Part VII, Section 58 (2) of the same *Act 651* empowers The Minister to, by legislative instrument, "determine the type of employment that is likely to expose a young person to physical or moral hazard."

Labor Regulations, 2007, LI 1833, Section 7 (1) reinforces the above by stating that an employer shall not engage a young person in work which is listed as being hazardous

8.8: **Forms of 'work' relating to the child**

- i) Light Work
- ii) Employment
- iii) Hazardous Employment

8.9: Definitions forms of 'work' relating to the child

8.9.1. Light Work

"Work which is not likely to be harmful to the health or development of the child and does not affect the child's attendance at school or his/her capacity to benefit from school work" -- *The Children's Act, Act 560, Sections 90 (2)*

8.9.2. Employment

"Engagement in any economic work or activity which is performed during a specified period for pay (whether in cash or kind), profit or family gain"-- *Report: Ghana Multiple Indicator Cluster Survey, Ghana Statistical Services*

8.9.3. Hazardous Employment

"Employment that poses a danger to the health, safety or morals of a person" -- *The Children's Act, Act 560, Section 91 (2)*

8.10: ILO Convention 182 definition of 'worst forms of child labor'

ILO Convention 182, Article 3 defines 'worst forms of child labor' as:

- "a) All forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labor, including forced or compulsory recruitment of children for use in armed conflict;
- "b) The use, procuring or offer of a child for prostitution, for the production of pornography or for pornographic performance;
- "c) The use, procuring or offer of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties; and
- "d) Work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children."

8.11: Definitions of types of work under Ghanaian legislation which are synonymous with 'worst forms of child labor' under ILO Convention 182

The types of work whose definitions under Ghanaian legislation are synonymous with 'worst forms of child labor' under ILO Convention 182 are:

- i) 'Hazardous work';
- ii) 'Hazardous employment'; and
- iii) 'Industrial undertakings.'

8.11.1. Hazardous work

Report: Ghana Multiple Indicator Cluster Survey, Ghana Statistical Services defines 'hazardous work' as work which involves the following:

- "a) manual lifting of weights which exceed twenty-five kilograms; and
- "b) work on scaffold and other structures at a height exceeding two and a half meters;

Labor Regulations 2007, LI 1833, Section 7(1) defines 'hazardous work' as:

- "a) the use of substances and materials that emit (i) radiation, or (ii) poisonous gases or fumes,
- "b) the use of dangerous chemicals;
- "c) excessive noise;
- "d) the felling of timber;
- "e) night work exceeding eight continuous hours; or
- "f) the production and screening of pornographic material, or
- "g) work at areas in a hotel which are likely to corrupt the moral development of that young person; and
- "h) other situations considered by the Chief Labor Officer as hazardous"

8.11.2. Hazardous Employment

The Children's Act, Act 560 defines 'hazardous employment' as "Employment that poses a danger to the health, safety or morals of a person" and includes:

- "a) going to sea;
- "b) mining and quarrying;
- "c) porterage of heavy loads;
- "d) manufacturing industries where chemicals are produced or used;
- "e) work in places where machines are used; and
- "f) work in places such as bars, hotels and places of entertainment where a person maybe exposed to immoral behavior"

8.11.3. Industrial Undertakings

Labor Act, Act 651, Section 58 defines 'industrial undertakings' as:

- "An undertaking other than one in commerce or agriculture" including:
- "a) mines, quarries, other works for extraction of minerals from the earth;
 - "b) undertakings in which articles are manufactured, altered, repaired, ornamented, finished, adapted for sale, broken up or demolished, or in which materials are transformed, including undertakings engaged in shipbuilding or in the generation, transformation or transmission of electricity or motive power of any kind; and
 - "c) undertakings engaged in building and civil engineering work, including constructional, repair, maintenance, alteration and demolition work."

8.12: **Exact legal definitions of 'age to work'**

There are legal provisions for minimum age at which a person can:

- i) engage in light work;
- ii) be in employment; and
- iii) be in hazardous employment.

8.12.1 Minimum age for 'light work'

This is set at "Thirteen (13) years" -- *The Children's Act, Act 560, Section 90.*

8.12.1 Minimum age for admission of a child to employment

This is set at “Fifteen (15) years” -- *Section 90 of The Children’s Act, Act 560.*

8.12.1 Minimum age for hazardous employment

This is set at “Eighteen (18) years” -- *Section 91, The Children’s Act, Act 560.*

8.13: Other legislated ‘age 18 thresh-holds’

8.13.1. The right to vote – *1992 Constitution*

8.13.2. The right to make a will -- *Wills Act, Act 360;*

8.13.3 The right to consume alcohol -- *Liquor Licensing Act, Act 331;* and

8.13.4. The right to contract any form of marriage –*Children’s Act, Act 560;* and *Marriage Ordinance (Amendment) Act, 2001, Act 606.*

8.14: Registration of children and young persons in ‘industrial undertakings’

Section 60 of Labor Act, 2003, Act 651, stipulates that “an employer in an industrial undertaking shall keep a register of the children and young persons employed by him and of the dates of their births if known or their apparent ages if their dates of birth are not known.”

8.15.: Legal Provision on health of young persons employed on any work

Labor Act, 2003, Act 651, Section 59, makes prohibits employers from engaging a young person on any work unless a medical practitioner has certified that the young person is medically fit for the work

8.16: Enforcement of regulations relating to child labor;

Sections 95-96 of The Children’s Act 560 call for the enforcement of the Act’s provisions in both the (i) formal and (ii) informal sectors.

8.17 Judicial remedies – lodging of complaints

Any person (including a child) can file a complaint without the payment of a fee -- *Section 17 of The Children’s Act.*

8.18. Judicial decisions by Judicial and quasi-judicial bodies

Judgment/orders delivered by a legally constituted panel or court is binding on all parties who have the right of appeal under the Courts Act.

8.19. **Legal provision on offences and penalties relating to child labor**

The Children's Act, Act 560, Part V, Sub-Part 1 ('Employment of Children - 'Child Labor'), *Sections 87-92; Labor Act, Act 651, Part VII, Sections 58-61;* and the *Consolidated Criminal Code, 1960*, have provisions on child labor offences as well as penalties for those who commit the stated offences under the Acts and are convicted by the law courts.

8.20. **Scope of application of legal provisions on child labor**

All legislative provisions relating to the child and child labor under both *The Children's Act, Act 560* and the *Labor Act, Act 651*, are to apply to the formal and informal sectors.

9.0. **Observations**

9.1. **Absence of specific legislative mention of 'worst forms of child labor' and 'worst forms of child labor on cocoa farms'**

No specific mention 'worst forms of child labor' and 'worst forms of child labor on cocoa farms' is made in the legislative framework.

It is to be noted that ILO Convention 182 and the Harkin-Engel Protocol came into effect in 1998 and 2001 respectively. Maybe, it is a question of time for the specific terms (i.e. 'worst forms of child labor' and 'worst forms of child labor on cocoa farms') to find their way onto the Statutes.

For now, the spirit and tenets of these forms of child-work are captured, and prohibited under terms such as 'hazardous work', 'hazardous employment' and 'industrial undertaking' in legislative framework, specifically *The Children's Act, Act 560*, and *Labor Act, Act 651*.

9.2. **Harmonization of laws on the child and child labor**

In the spirit of *Article 4 of the Convention on the Rights of the Child (CRC)*, Ghana has strived to have its national legislation and practice conform to the principles and provisions of the *CRC* through institutions such the Ministry of Women and Children Affairs.

Harmonization of laws has been advanced through a comprehensive review of all domestic legislation by the Child Law Reform Advisory Committee from 1995 – 1998. That review resulted in the following actions:

- i) Amendments to relevant provisions of the *Criminal Code* to conform to the UN Convention on the Rights of the Child (CRC);
- ii) Passage of *The Children's Act, 1998, Act 560*, to conform to the United Nations Convention on the Rights of the Child. The Act prohibits numerous forms of child labor and also sets out guidelines for legal apprenticeship;
- iii) Passage of the *Juvenile Justice Act, 2003, Act 653*, to protect the rights of young offenders in accordance with the *CRC* and the *UN Standard Minimum Rules for Administration of Juvenile Justice (the Beijing Rules)*.

9.3. **Administrative Reforms relating to the child**

Institutional and administrative reforms initiated within the 12 years to further promote the welfare and development of the child include

9.3.1. Establishment of Ministry of Women and Children Affairs

This Ministry was established in 2001 to spearhead and coordinate gender and child responsive development issues, including the formulation of gender and child responsive policies and their implementation in collaboration with other state agencies and civil society organizations.

Two formerly autonomous bodies (the National Council for Women and Development and the Ghana National Commission on Children) became departments under the Ministry of Women and Children Affairs and are responsible for the implementation of policies and for advising the Ministry on policy issues relating to women and children respectively.

9.3.2. Setting up of Women and Juvenile Unit of the Police Service

The Women and Juvenile Unit (WAJU) is a specialized police unit and first of its kind in West Africa. It was first set up in late 1998 in Accra and is currently operational in all 10 regional capitals of Ghana. Main objectives of the unit are to prevent, protect, investigate and prosecute crimes against women and children.

9.4. **Reforms targeted at child labor**

The Children's Act, 1998, Act 560, and *Labor Act, 2003, Act 651*, define and have extensive provisions on prohibition of child labor.

9.5. **Reforms targeted at worst forms of child labor**

The Children's Act, Act 560, prohibits the engagement of children in 'hazardous work/employment', and 'industrial undertakings' which, by their definitions, are synonymous with the *ILO Convention 182* definition of 'worst forms of child labor.'

9.6. **Reforms targeted at worst forms of child labor on cocoa farms**

Ghanaian legislation does not specifically mention or define ‘worst forms of child labor on cocoa farms.’ But *The Children’s Act, Act 560*, and *Labor Act, Act 651* have provisions that should, by extension, be interpreted as prohibitions against ‘the worst forms of child labor’, including the “worst forms of child labor on cocoa farms” (as outlined under the Harkin-Engel Protocol)

9.7. **Other actions for monitoring, preventing and combating ‘child labor’**

A number of other actions have been initiated and are being implemented to widen the battle-front against child labor in all forms. These actions include:

- i) Establishment of multi-disciplinary Child Rights Committees
- ii) Setting up of a Child Labor (Cocoa Farm) Unit at the Ministries;
- iii) Sensitization programs on child labor issues in schools/communities by the Ministry of Women and Children Affairs. The exercise involves the translation of *The Children’s Act* into local languages;
- iv) Growing involvement of NGOs in the promotion of child rights issues including child labor issues, leading to the formation of an umbrella organization -- the National Coalition of NGOs on Children; and
- v) Collation of data-base on child-related issues – including data from Research by the Ghana Statistical Service (see *Report: Ghana Multiple Indicator Cluster Survey, 2006*).

10.0: Conclusion and recommendations

10.1. Conclusion

Ghana's legislative regime has in the past 12 years undergone a number of reforms enabling child-related legislation to conform with the spirit and tenets of international conventions on the child and on child labor.

These international conventions include the *UN Convention on the Rights of the Child*, *ILO Minimum Age Convention 138*, and *ILO Convention 182 (on worst forms of child labor)*.

Impetus for the pro-active stance of governments and civil society towards the enactment of internationally acceptable, child-friendly legislation may be traced to factors including:

- i) The emergence of a new era of democratic rule (Ghana's 4th Republic) in January 1992 and the commitment of both State agencies and civil society groups towards legal and other reforms as would reflect and do honor to Ghana's new image as, 'an emerging democracy.'
- ii) The diplomatic efforts (and subtle economic pressures) that the international community has asserted, and continues to assert, on developing nations in a bid to ensure the promotion of good governance and human rights, including the rights of the child.

The result so far is that the existing legislative framework is in conformity with the spirit and principles of the ILO Convention 182 on the worst forms of child labor and, by extension, the worst forms of child labor on cocoa farms.'

In addition to the existing legal provision, a number of administrative actions and reforms are on-going to address child labor issues including issues raised under the Harkin-Engel Protocol. These actions and reforms include:

- i) Sensitization programs being carried out in communities and schools (see '*Comments on the Dissemination of Ghana's Report to the UN Committee on the Rights of the Child*') by the Ministry of Women and Children Affairs as part of which *The Children's Act, Act 560*, is being translated into local languages; and
- ii) A Child Labor (Cocoa Farm) Unit having been set up at the Ministry of Manpower, Youth and Employment to, according to a Ministry of Manpower official, "co-ordinate actions aimed at addressing child labor issues on cocoa farms."

10.2. Recommendations

Based on the research findings and observations, it is recommended that:

10.2.1. Sensitization programs for key sectors and general public

Continuous sensitization and up-dating on child rights and child labor issues in general and the Harkin-Engel Protocol in particular are programmed and delivered to The Executive, Legislature, Judiciary as well as the Police, Professional and Civil Society Groups, NGOs on Children, the media and the general public.

10.2.2. Integration of the language of the Harkin-Engel Protocol into legislation on child labor and “the worst forms of child labor”

The relevant legislation for such language integration are:

- i) The Children’s Act, Act 560 and Labor Act, Act 651

These legislations have provisions for ‘hazardous work/employment’ and ‘industrial undertakings’ which are defined in law in terms that are synonymous with ILO Convention 182 definition of ‘worst forms of child labor.’

With time, harmonization could entail specific mention of the terms ‘worst forms of child labor’ and ‘worst forms of child labor on cocoa farms’ in *The Children’s Act* and the *Labor Act*.

- ii) The Cocoa Marketing Board (Cocobod) Establishment Law, PNDCL 81

Harkin-Engel Protocol recommendations on a Child Labor Free Certification System could, with time, be incorporated in existing *PNDCL 81* provisions which empower the Board of Cocobod “to purchase, market and export cocoa (...) which is graded under the *Cocoa Industry (Regulations) (Consolidation) Decree, 1968 (NLCD 278)* or any other enactment, as suitable for export.”

- iii) Bye-laws of District Assemblies

Section 16 (2) of The Children’s Act, Act 560, provides for District Assemblies “to protect the welfare and promote the rights of children within their areas of authority ... and to co-ordinate the activities of government and non-government agencies as they relate to children.”

Bye-laws of District Assemblies thus have the great potential to as legislative instruments for promoting child rights issues and welfare of the child – including control/elimination of the ‘worst forms of child labor.’”

10.2.3 Strengthening, streamlining of traditional justice system

Running parallel with Western-style legislative and judicial system is a traditional counterpart based on customs, social norms as well as family and traditional governance hierarchy. This traditional justice system is still very prevalent, and very relevant, more so in the rural areas.

That traditional justice system involves chiefs and queen-mothers, clan and family elders, as well as the entire community including (as individual citizens) religious leaders, government officials, business executives, chief cocoa farmers, educationists and law enforcement officials).

With such wide involvement and keen personal interest in the delivery of justice, the traditional justice system can, if adequately and appropriately strengthened, play a major role in efforts to address the problem of child labor and forced labor in the Ghanaian environment.

11.0: **Addenda**

11.1. **Sources of Legal Documents and other Literature**

The sources of legal documents and other literature for this research work included:

- i) Public Records and Archives Department, Accra
- ii) Assembly (Government) Press, Accra
- iii) Parliament House, Accra
- iv) Library, Supreme Court, Ghana.
- v) Department of Law Library, University of Ghana, Legon
- vi) Library, Ghana Law School, Makola-Accra
- vii) Central (Public) Library, Accra

11.2. Bibliography

Bibliography for this research consisted of:

- i) *The Constitution of the Republic of Ghana, 1992*
- ii) *ILO Convention 182*
- iii) *ILO Minimum Age Convention 138*
- iv) *UN Convention on the Rights of the Child*
- v) *Children's Act, 1998, Act 560*
- vi) *Labor Act, 2003, Act 651*
- vii) *Juvenile Justice Act*
- viii) *Human Trafficking Act, 2005, Act 694*
- ix) *Domestic Violence Act, 2007, Act 732*
- x) *Adoption Act, 1962, Act 104*
- xi) *Apprentices Act, 1961, Act 45*
- xii) *Consolidated Criminal Code, 1998, Act 554*
- xiii) *Wills Act, 1971, Act 360*
- xiv) *Liquor Licensing Act, 1970, Act 331*
- xv) *Courts (Amendment) Act, Act 2004, Act 673*
- xvi) *Minerals and Mining (Amendment) Act, 1994, Act 475*
- xvii) *The Fisheries Act, 2002, Act 625*
- xviii) *Cocoa Marketing Board (Cocobod) Est., PNDCL 81*
- xix) *Cocoa Industry (Regulations) (Consolidation) Decree, PNDCL 81*
- xx) *Marriage Ordinance (Amendment) Act, 2001, Act 606*
- xxi) *Report: Ghana Multiple Indicator Cluster Survey, Ghana Statistical Services*

- xxii) Comments on the Dissemination of Ghana's Report to the UN Committee on The Rights of the Child, 1997—2003*
- xxiii) Questionnaire Guide: Ghana's Children 2000 (GoG/SCF-UK/GNCC-IMRE Project)*
- xxiv) Child labor and Cocoa Production in West Africa, the Case of Cote d'Ivoire and Ghana; Bas, M., Huser, 2006*

Appendix 13: Tulane University Questionnaires – Survey of Child Labor in the Cocoa Growing Areas (Nov/Dec 2007)

Tulane University
COTE D'IVOIRE CHILD LABOUR SURVEY
Household Questionnaire¹
November 8, 2007

(Addressed to the most knowledgeable member of the household)

17 JUL 2007

GENERAL INFORMATION

REGION..... DISTRICT.....LOCALITY..... ADDRESS OF HOUSEHOLD..... PHONE NUMBER (-----).....	ENUMERATION AREA CODE..... Region District/Locality EA Number <div style="text-align: center;"> _ _ _ </div>	HOUSE/STRUCTURE NO. <div style="text-align: center;"> _ _ _ </div>	HOUSEHOLD ID NUMBER <div style="text-align: center;"> _ _ _ </div>
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INTERVIEWER VISITS				FINAL VISIT	
	1	2	3	DATE/MONTH/YEAR	_ _ - _ _ - _ _ _ _
DATE				RESULT *	_
INTERVIEWER'S NAME				(*) RESULT CODES	
				1. Completed 2. No household members at home or no competent respondent 3. Entire Household absent for extended period of time 4. Postponed	5. Refused 6. Dwelling vacant or address not a dwelling 7. Dwelling destroyed 8. Dwelling not found 9. Other (Specify).....
SUPERVISOR'S NAME				ELIGIBILITY	
				• Number of persons in the household.....	• _ _
				• Number of children (5-17)	• _
NEXT VISIT				Starting Time: ____:____	Ending Time: ____:____
				If Additional Questionnaires used indicate Number	• _

¹ Prepared by William Bertrand and Elke de Buhr based on ILO National Child Labor Questionnaires.

HOUSEHOLD QUESTIONNAIRE (Part 1)

Person's serial number in household	Can you please provide full names of all persons who are part of this household, beginning with the Head of the Household? <i>(A Household is defined as a person or group of persons who live together in the same house or compound, share the same housekeeping arrangements and are catered for as one unit. Members of a household are not necessarily related - by blood or marriage - and not all those related in the same house or compound are necessarily of the same household)</i>	Which household member provided information the individual? <i>(Write serial number)</i>	What is (NAME)'s relationship to head of the household 1. Household Head 2. Spouse 3. Son/Daughter 4. Brother/Sister 5. Daughter-in-law/son-in-law 6. Grandchild 7. Niece / Nephew 8. Step child 9. Aged parent/parent-in-law 10. Servant (live-in) 11. Other relative 12. Non-relative	What is the sex of each of these individual household members? 1. Male 2. Female	How old was (NAME) at (his/her) last birthday? <i>(In completed years)</i>	Indicate with "1" if person is between 5-17 years old, "0" otherwise	What is (NAME)'s marital status (for persons 12 years or above)? 1. Single or never married 2. Married civil/religious 3. Married but separated 4. Polygamous marriage 5. Living together as unmarried partners 6. Divorced 7. Widowed 8. Does not apply	For all household members		
								Please indicate (NAME)'s serial number. <i>(Write 99 if absent or not applicable)</i>		
								Spouse <i>(if applicable and s/he is among the household members)</i>	Natural Mother <i>(if she is among the household members)</i>	Natural Father <i>(if he is among the household members)</i>
ID	HR1	HR2	HR3	HR4	HR5	HR6	HR7	HR8	HR9	HR10
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HOUSEHOLD QUESTIONNAIRE (Part 2)

Person's serial number in household	Where was (NAME) born?	What is (NAME)'s nationality?	What is (NAME)'s ethnic group?	What is (NAME)'s religion?	Can (NAME) read and write a short, simple statement with understanding in any language?	Is (NAME) attending school or pre-school during the current school year?	What is the highest level of school that (NAME) has attended?	Did (NAME) engage in any work at least one hour during the past week?	Did (NAME) engage in any work in agriculture at least one hour during the past week?	Did (NAME) engage in any work on a cocoa farm at least one hour during the past week?	How many hours did (NAME) engage in work in agriculture during the past week?	How many hours did (NAME) engage in work on a cocoa farm during the past week?	How many hours did (NAME) engage in economic activity other than agriculture during the past week?
	1. Cote d'Ivoire 2. Ghana 3. Benin 4. Burkina-Faso 5. Guinea 6. Liberia 7. Mali 8. Togo 9. Other (specify)	1. Cote d'Ivoire 2. Ghana 3. Benin 4. Burkina-Faso 5. Guinea 6. Liberia 7. Mali 8. Togo 9. Other (specify)	1. Akan 2. Apolo/Abouré 3. Gur 4. Krou 5. Southern Mandé 6. Northern Mandé 7. Other (specify)	1. Catholic 2. Protestant 3. Muslim 4. Charismatic/Pentecostal 5. Traditional 6. Other (specify)	1. Yes 2. No	1. Yes 2. No	1. Pre-school 2. Primary 3. Secondary 4. Vocational or higher 5. University or higher 6. Non standard curriculum 7. Don't know	1. Yes 2. No <i>(As employee, self employed, employer or unpaid family worker)</i>	1. Yes 2. No <i>(Any work on his/her own or the household's plot, farm, food garden, or help in growing farm produce or in looking after animals for the household)</i>	1. Yes 2. No	<i>(Number of hours)</i>	<i>(Number of hours)</i>	<i>(Number of hours)</i>
ID	HR11	HR12	HR13	HR14	HR15	HR16	HR17	HR18	HR19	HR20	HR21	HR22	HR23
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HOUSEHOLD QUESTIONNAIRE (Part 3)

Person's serial number in household	How many hours did (NAME) engage in household work during the past week? <i>(Number of hours)</i>	Did (NAME) engage in any work at least one hour during the past 12 months? <i>(As employee, self employed, employer or unpaid family worker)</i>	Did (NAME) engage in any work in agriculture at least one hour during the past 12 months? <i>(Any work on his/her own or the household's plot, farm, food garden, or help in growing farm produce or in looking after animals for the household)</i>	Did (NAME) engage in any work on a cocoa farm at least one hour during the past 12 months? 1. Yes 2. No	During how many months in the past year did (NAME) engage in any work in agriculture? <i>(Number of months)</i>	During how many months in the past year did (NAME) engage in any work in a cocoa farm? <i>(Number of months)</i>	Did (NAME) engage in economic activities other than agriculture at least one hour during the past 12 months? 1. Yes 2. No	Did (NAME) engage in household work at least one hour during the past 12 months? 1. Yes 2. No	At what age did (NAME) start working in agriculture for the first time in his/her life? <i>(As employee, own account worker, employed, employer or unpaid family worker)?</i>	Household member interviewed? 1. Yes 2. No	Reason for not interviewing selected household member <i>(Most knowledgeable adult and ALL children between 5 and 17 should be interviewed)</i> 1. Refused 2. Guardian refused 3. Could not be reached 4. Sick/ill 5. Other
ID	HR24	HR25	HR26	HR27	HR28	HR29	HR30	HR31	HR32	HR33	HR34
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Tulane University
COTE D'IVOIRE CHILD LABOUR SURVEY
Caregiver Interview¹

November 8, 2007

1. REGION/ / /	4. CENSUS DISTRICT...../ / / / /
2. DEPARTMENT... .. / / /	5. VILLAGE/TOWN...../ / /
3. SOUS-PREFECTURE...../ / /	
HOUSEHOLD	
6a. HOUSE NUMBER...../ / / / /	
7a. HOUSEHOLD NUMBER...../ / /	
8a. RESPONDENT NUMBER...../ / /	
9. NAME OF INTERVIEWER	
10. NAME OF SUPERVISOR	
11. INTERVIEW LANGUAGE	
12. DATE OF INTERVIEW Day / / / Month / / / Year / / / / /	
13. START OF INTERVIEW Hour / / / Minute / / /	
14. END OF INTERVIEW Hour / / / Minute / / /	

BEFORE THE START OF THE INTERVIEW, FOLLOW THE INFORMED CONSENT PROCEDURES.

Title: Child Labor in the Cocoa Sector
Performance Sites: Cote d'Ivoire and Ghana
Investigators: William E. Bertrand and Elke de Buhr
Sponsor: US Department of Labor

Purpose:

The purpose of this study is to learn more about the work and living conditions of children and their families in the cocoa-growing regions. We hope this will help create projects in support of children in your country and in other West African countries. More than 1,000 individuals will be interviewed as part of this research in your country. We will interview both children and the adults that provide care for them. We expect that the interview with you will take about 30 minutes, and that each interview with a child will take between 45 and 60 minutes.

Procedures:

You will be interviewed first. Afterwards, we would like to interview some or all of the children you are taking care of. We would like to interview children between 5 and 17 years of age. The interviews will cover topics such as living conditions, characteristics of work activities and access to education. We will interview one person at a time. No third person will be allowed to listen when a child is being interviewed but a second person may be in the same room with the child who is not listening but can witness the interview. This person can be any adult or child that the child would like to attend except a parent/guardian.

Potential Risks:

The interviews will take some time and some children may get tired, bored or distracted. Some may also get upset when difficult questions are asked. We will take maximum care to ensure that if this happens that the needs of the child will take precedence over this interview. The children will be allowed to take breaks at any time during the interview. You and the children may also decide to interrupt or discontinue an interview at any point in time.

¹ Prepared by William Bertrand and Elke de Buhr based on ILO National Child Labor Questionnaires and other instruments. Valuable input was provided by team members, partners and other stakeholders.

Potential Benefits:

This study will generate knowledge about working and living conditions in rural communities in your country. It will provide systematic information on how children live and the details on the work they perform. This will help develop programs in support of children and their families in your country and find solutions to common problems.

Voluntary Participation:

Participation in the research is voluntary. You may choose to participate or not. If you choose to participate but later change your mind, you may withdraw from the study at any time. Similarly, the children you are taking care of may refuse to participate or discontinue an interview at any point in time. Refusal to participate or withdrawal from the study will not result in penalty or any loss of benefits to which you or the children you are taking care of are otherwise entitled.

Confidentiality:

The interviews will be kept confidential. Your name or identity will be shared with absolutely no one, even though the information you offer will be shared with the other researchers in this study when we are analyzing the answers. It is important for you to understand that nobody will know what you and the children you are taking care of have answered. No adult or child will be identified in any way when study results are published.

Costs/Payment:

You will not be paid for participating in this research.

Study Outcome:

The findings of the research will be made available to you and your community. If you want you will be able to access the report on the Internet (<http://childlabor-payson.org/>). You can access the Internet at an Internet café in any of the bigger cities in your country. You may also call us for information about the findings of the study.

Questions:

If you have questions about the research, you may call Dr. Elke de Buhr at +504-314-2716 in New Orleans, USA. If you have any questions about your rights as a research subject, please call the IRB Compliance Officer at +504-988-3229 at Tulane University in New Orleans, USA. *[Local numbers will be added.]*

I have read this consent form and volunteer to participate in this research.

Subject

Date

Parent/Legally Authorized Representative (if applicable)

Date

Person Obtaining Consent

Date

Thank you for agree to participate in this interview. If at any time you do not understand a word we use or a question we are asking, please let me know. Remember you can stop this interview at any time. No one will know what you tell us.

A. Identification

A1. Respondent Number		/ / /
A2. Name of respondent	Specify:	
A3. Age of respondent	Age in years (if unknown, estimate)	/ / /
A4. Gender of respondent	1=Male 2=Female	1 2
A5. Address	Specify:	
A6. Phone number	Specify:	

B. Household Characteristics

Respondent Number (from A1)		/ _ / _ /
B1. In what type of dwelling does your household live?	1=Modern house 2=Simple house 3=Compound house (rooms) 4=Huts/several small buildings (same compound) 5=Living quarters attached to office/shop/work place 6=Improvised home (kiosk, container, tent) 7=Other (specify):	1 2 3 4 5 6 7
B2. Who owns your dwelling?	1=Owned by a household member (→ go to B4) 2=Co-owner in household (→ go to B4) 3=Provided free by employer/owner (→ go to B4) 4=Subsidized by employer 5=Rented from private owner 6=Other (specify):	1 2 3 4 5 6
B3. If the dwelling is rented, how much do you pay per month?	Amount (in CFA) 9999998=Don't know	/ _ / _ / _ / _ / _ / _ /
B4. If this household has separate sleeping rooms, how many sleeping rooms does the household have?	Number of sleeping rooms	/ _ / _ /
B5. If this household has a kitchen, where is the kitchen located?	1=Inside the house, exclusive 2=Inside the house, shared 3=Outside the house, exclusive 4=Outside the house, shared 5=None	1 2 3 4 5
B6. If this household has a bathroom, where is the bathroom located?	1=Inside the house, exclusive 2=Inside the house, shared 3=Outside the house, exclusive 4=Outside the house, shared 5=None	1 2 3 4 5
B7. If this household has a toilet, where is the toilet located?	1=Inside the house, exclusive 2=Inside the house, shared 3=Outside the house, exclusive 4=Outside the house, shared 5=None	1 2 3 4 5
B8. What is the main source of drinking water for the household?	1=Pipe-borne inside house 2=Pipe-borne outside house 3=River/stream 4=Bore-hole/tubewell	1 2 3 4

	5=Well 6=Dug out/pond/lake/dam 7=Rain water 8=Other (specify):	5 6 7 8
B9. What is the main source of cooking fuel?	1=Wood 2=Charcoal 3=Coconut husk 4=Kerosene 5=Gas 6=Millet straw 7=Other (specify):	1 2 3 4 5 6 7
B10. What is the main source of lighting?	1=Candles 2=Kerosene lantern 3=Electricity 4=Gas lamp 5=Solar energy 6=No light 7=Other (specify):	1 2 3 4 5 6 7
B11. Does the household own any of the following household items? <i>(read list and mark affirmative answers)</i>	A=Radio B=TV set C=Computer D=Cell phone E=Bicycle F=Motor bike G=Car H=Refrigerator I=Sewing machine J=None	A B C D E F G H I J
B12. Has the household ever changed the place of residence?	1=Yes 2=No (→ go to B16)	1 2
B13. Where did the household live before moving to the current place of residence?	1=Cote d'Ivoire (specify village/town): 2=Ghana 3=Burkina-Faso 4=Mali 5=Other country (specify):	1 2 3 4 5
B14. When did the household move to the current place of residence?	Year 9998=Don't know	____/____/____
B15. What was the main reason for moving to your current place of residence? <i>(more than one answer allowed)</i>	A=Built a house B=Bought farm/land C=Inherited farm/land D=Entered sharecropping arrangement E=Seasonal work in agriculture F=Looking for job G=Found a job (specify): H=I wanted my children to go to school I=Other (specify): J=Don't know	A B C D E F G H I J
B16. What were the main sources of income for the household during the last <u>12 months</u>?	A=Selling cocoa beans B=Selling other crops/produce (specify): C=Agricultural labor D=Regular wage employment (specify):	A B C D

<i>(more than one answer allowed)</i>	E=Transportation	E
	F=Petty trade	F
	G=Other self-employment (specify):	G
	H=Pensions, dividends, interest, property rent	H
	I=Remittances	I
	J=Other (specify):	J

C. Farm Characteristics

Respondent Number (from A1)		/ / /
C1. What types of agriculture are carried out by the household? <i>(read list and mark affirmative answers)</i>	A=Cocoa farming	A
	B=Other tree crop farming	B
	C=Food crop farming	C
	D=Industrial crop (cotton, jute, tobacco, etc.)	D
	E=Livestock/poultry farming	E
	F=Other (specify):	F
	G=None	G
C2. How many acres of land does the household own?	Area in acres 9998=Don't know	/ / / / /
C3. How many acres of land does the household have under cultivation?	Area in acres 9998=Don't know	/ / / / /
C4. How many acres of land does the household have under cocoa cultivation?	Area in acres 9998=Don't know	/ / / / /
C5. Does the household own all the land that is under cultivation?	1=Yes 2=No 3=Other (specify):	1 2 3 4
C6. Who is the owner of land not owned by a household member? <i>(more than one answer allowed)</i>	A=All land owned by household member	A
	B=Extended family ownership	B
	C=Joint household ownership	C
	D=Rented/share cropping	D
	E=Employer	E
	F=Community	F
	G=Other (specify):	G
	H=Don't know	H
C6. If a part of the harvest is given to the owner of the land, how much is given?	1=1/2 of harvest 2=1/3 of harvest 3=Other percentage (specify):	1 2 3 4 5 6
C7. What livestock does the household own? <i>(read list and specify number)</i>	Poultry (number)	/ / / / /
	Sheep (number)	/ / / / /
	Goats (number)	/ / / / /
	Pigs (number)	/ / / / /
	Cows (number)	/ / / / /
	Other (specify):	/ / / / /
C8. What tools and machinery used in agriculture does the household own? <i>(read list and specify number)</i>	Machetes (number)	/ / / / /
	Bullocks (number)	/ / / / /
	Hoes (number)	/ / / / /
	Wheelbarrows (number)	/ / / / /
	Tractors (number)	/ / / / /
	Animal drawn-carts (number)	/ / / / /

	Spraying machines (number) Weighing scales for produce (number) Other (specify):	/ / / / / / / / / / / /
C9. Has the household used fertilizer on the farm in the past 12 months?	1=Yes (specify type): 2=No 3=Don't know	1 2 3
C10. Has the household used pesticides on the farm in the past 12 months?	1=Yes (specify type): 2=No 3=Don't know	1 2 3
C11. Has the household used herbicides on the farm in the past 12 months?	1=Yes (specify type): 2=No 3=Don't know	1 2 3
C12. Has the household used improved seeds or planting material on the farm in the past 12 months?	1=Yes (specify type): 2=No 3=Don't know	1 2 3

D. Household and Farm Worker Characteristics

Respondent Number (from A1)		/ / / /
D1. How many adults (males and females) are living in this household who are not members of the extended family?	Number of males Number of females	/ / / / / / / /
D2. If adults are living in this household who are not members of the extended family, how would you describe them? <i>(read list and mark affirmative answers)</i>	A=Temporary visitors B=Domestic workers C=Farm laborers D=Other (specify):	A B C D
D3. How many children (boys and girls) are living in this household who are not members of the extended family?	Number of boys Number of girls	/ / / / / / / /
D4. If children are living in this household who are not members of the extended family, how would you describe them? <i>(read list and mark affirmative answers)</i>	A=Temporary visitors B=Domestic workers/house help C=Farm laborers D=Children of farm laborers E=Orphans/adopted children F=Other (specify):	A B C D E F
D5. How did these children get to your household? <i>(read list and mark affirmative answers)</i>	A=They came on their own looking for work B=We went looking for additional help and found them C=They were brought here by the person who knew we needed additional help D=They were brought here by a relative of theirs for work purposes E=They came with their parents/relatives who work for us F=Other (specify):	A B C D E F

E. Household and Farm Labor Characteristics

Respondent Number (from A1)		/ / / /
E1. During the last 7 days, did adults (18 years or older) living	A=Land clearing B=Felling and chopping	A B

<p>in this household perform any of the following activities?</p> <p><i>(read list and mark affirmative answers)</i></p>	<p>C=Burning D=Stumping E=Pegs cutting F=Lining and pegging G=Holing/planting of suckers H=Preparation of seedlings I=Holing/planting of seedlings J=Sowing at stake K=Weeding L=Spraying insecticide M=Applying fertilizer N=Applying fungicide/herbicides/other chemicals O=Carrying water for spraying P=Sanitation and pruning Q=Mistletoe control R=Plucking of cocoa pods S=Gathering and heaping cocoa pods T=Cocoa pod breaking and fermentation U=Carting fermented cocoa beans V=Drying cocoa beans W=Carting of dry cocoa beans to shed X=Other (specify): Y=None</p>	<p>C D E F G H I J K L M N O P Q R S T U V W X Y</p>
<p>E2. What other economic activities were performed by adults (18 years or older) living in this household in the past 7 days?</p> <p><i>(read list and mark affirmative answers)</i></p>	<p>A=Run or do any kind of business, big or small, for himself/herself or with one or more partners B=Do any work for a wage, salary, commission or any payment in kind (excluding domestic work) C=Do any work as a domestic worker for a wage, salary or any payment in kind D=Help unpaid in a household business of any kind E=Do any construction or major repair work on his/her own home, plot, or business, or those of the household F=Catch any fish, prawns, shells, wild animals or other food for sale or household food G=Fetch water or collect firewood for household use H=Produce any other good for this household use I=Other (specify): J=None</p>	<p>A B C D E F G H I J</p>
<p>E3. What household work was performed by adults (18 years and older) living in this household in the last 7 days?</p> <p><i>(read list and mark affirmative answers)</i></p>	<p>A=Shopping for household B=Repairing any household equipment C=Cooking D=Cleaning utensils/house E=Washing clothes F=Caring for children/older/sick G=Other household tasks (specify): H=None</p>	<p>A B C D E F G H</p>
<p>E4. During the last 7 days, did children (5-17 years) living in</p>	<p>A=Land clearing B=Felling and chopping</p>	<p>A B</p>

<p>this household perform any of the following activities?</p> <p><i>(read list and mark affirmative answers)</i></p>	<p>C=Burning D=Stumping E=Pegs cutting F=Lining and pegging G=Holing/planting of suckers H=Preparation of seedlings I=Holing/planting of seedlings J=Sowing at stake K=Weeding L=Spraying insecticide M=Applying fertilizer N=Applying fungicide/herbicides/other chemicals O=Carrying water for spraying P=Sanitation and pruning Q=Mistletoe control R=Plucking of cocoa pods S=Gathering and heaping cocoa pods T=Cocoa pod breaking and fermentation U=Carting fermented cocoa beans V=Drying cocoa beans W=Carting of dry cocoa beans to shed X=Other (specify): Y=None</p>	<p>C D E F G H I J K L M N O P Q R S T U V W X Y</p>
<p>E5. What other economic activities were performed by children (5-17 years) living in this household in the past 7 days?</p> <p><i>(read list and mark affirmative answers)</i></p>	<p>A=Run or do any kind of business, big or small, for himself/herself or with one or more partners B=Do any work for a wage, salary, commission or any payment in kind (excluding domestic work) C=Do any work as a domestic worker for a wage, salary or any payment in kind D=Help unpaid in a household business of any kind E=Do any construction or major repair work on his/her own home, plot, or business, or those of the household F=Catch any fish, prawns, shells, wild animals or other food for sale or household food G=Fetch water or collect firewood for household use H=Produce any other good for this household use I=Other (specify): J=None</p>	<p>A B C D E F G H I J</p>
<p>E6. What household work was performed by children (5-17 years) living in this household in the last 7 days?</p> <p><i>(read list and mark affirmative answers)</i></p>	<p>A=Shopping for household B=Repairing any household equipment C=Cooking D=Cleaning utensils/house E=Washing clothes F=Caring for children/older/sick G=Other household tasks (specify): H=None</p>	<p>A B C D E F G H</p>
<p>E7. Do you pay or in some way reward the children who work in your household or farm?</p>	<p>1=Yes 2=No (→ go to F1) 3=Sometimes</p>	<p>1 2 3</p>

	4=No children work in my household or farm (→ go to F1)	4
E8. If you pay the children who work in your household or farm, how much do you pay them?	Amount (in CFA) 9999998=I don't pay them	/ _ / _ / _ / _ / _ / _ /
E9. If you reward the children who work in your household or farm in kind, what do you give them?	Specify:	

F. Access to Education

Respondent Number (from A1)		/ / /
F1. Have all the children between 5 and 17 years living in this household attended school in the past 12 months?	1=Yes 2=No (→ go to F3)	1 2
F2. If not all of the children (5 to 17 years) in this household attended school, why not?	Specify:	
F3. Were any of the following reasons for children (5 to 17 years) living in this household to not attend school or to miss classes in the past 12 months? <i>(read list and mark affirmative answers)</i>	A=Completed compulsory schooling B=Too old for school C=Too young for school D=Disability/illness E=No school/school too far F=Cannot afford schooling G=Family did not allow schooling H=Poor in studies/not interested in school I=Education not considered valuable J=School not safe K=To learn a job L=Work for pay or family business or farm M=Help at home with household chores N=Other (specify):	A B C D E F G H I J K L M N

G. Access to Health Care

Respondent Number (from A1)		/ / /
G1. Did any of the children (5 to 17 years) who live in your household experience any of the following injuries related to work in agriculture in the past 12 months? <i>(read list and mark affirmative answers)</i>	A=Wounds/cuts B=Broken bones C=Snake bites D=Insect bites E=Back pains F=Muscle pains G=Other pains (specify): H=Hurt by fire or heat of the sun I=Skin itchiness or scratches J=Other (specify): K=They did not experience any injuries L=They do not work on a farm or field (→ go to G5)	A B C D E F G H I J K L
G2. How many times do you remember that a child has been injured while performing work in agriculture in the past 12 months?	Number of times 98=Don't know	/ _ / _ /

G3. What work were the children doing when they experienced their most serious injury related to work in agriculture in the past 12 months?	Specify:	
G4. Did any of the children who live in your household experience any of the following health consequences from injuries related to work in agriculture in the past 12 months? <i>(read list and mark affirmative answers)</i>	1=Child was in very bad pain 2=Child felt very sick or tired 3=Child did not feel well for a long time 4=Child had to receive treatment at a health center 5=Child had to receive treatment at a hospital 6=Child could not continue working 7=Child could not go to school 8=Other (specify): 9=No impact experienced	1 2 3 4 5 6 7 8 9
G5. Have any of the children (5 to 17 years) who live in your household experienced any injuries while performing economic activity other than agriculture in the past 12 months?	1=Yes (specify): 2=No	1 2
G6. Have any of the children (5 to 17 years) who live in your household experienced any injuries while performing household chores in the past 12 months?	1=Yes (specify): 2=No	1 2
G7. Have any of the children (5 to 17 years) who live in your household had any of the following illnesses and other health problems in the past 12 months? <i>(read list and mark affirmative answers)</i>	A=Diarrhea B=Vomiting C=Fever (high body temperature) D=Infections of respiratory tracts (flu) E=Malaria F=Typhoid fever G=Anemia H=Cholera I=Eye problems (hurt or sore) J=Stomach problems (pains or other discomfort) K=Breathing problems (difficulty in breathing) L=Extreme fatigue (very tired) M=Other (specify): N=None	A B C D E F G H I J K L M N
G8. When children who live in your household were ill or injured in the past 12 months, what type of treatment did they receive? <i>(more than one answer allowed)</i>	A=Child received first aid B=Child took medicine C=A nurse at the health center cared for child D=A doctor and/or nurse in the hospital cared for child E=Child went to the drug store and the person who knows about drugs helped child F=Child took some herbal medicine G=A Spiritualist/religious person cared for child H=I prayed for child using traditional methods I=Self-medication J=Other (specify): _____ K=Child did not receive any care or help	A B C D E F G H I J K

G9. When the children who live in your household were ill or injured in the past <u>12 months</u>, who paid for their treatment? <i>(more than one answer allowed)</i>	A=Child's parents/guardians	A
	B=Family relatives (specify):	B
	C=Child pays for him/herself	C
	D=Person child works for	D
	E=Family health insurance	E
	F=It was free	F
	G=Other (specify):	G
	H=Nobody paid for child, child did not receive treatment	H

H. Project Activities

Respondent Number (from A1)		/ / /
H1. Sometimes projects are being carried out in support of working children, school children and other groups of children. Have any of the children (5 to 17 years) who live in your household ever participated in a project?	1=Yes 2=No (→ go to H7) 3=Don't know (→ go to H7)	1 2 3
H2. Do you know the name of the project?	1=Yes (specify): 2=No	1 2
H3. Do you know the name of the organization that worked on the project?	1=Yes (specify): 2=No	1 2
H4. Where was the project done?	Specify:	
H5. What did the children participate in?	Specify:	
H6. When did the children participate in the project?	Year 9998=Don't know	/ / / / /
H7. Can you tell me, if you have heard about child labor?	1=Yes 2=No (→ Go to H11) 3=Don't know (→ Go to H11)	1 2 3
H8. What have you heard about child labor?	Specify:	
H9. From whom did you hear about child labor?	Specify:	
H10. What is your opinion about what you have heard from child labor?	Specify:	
H11. Can you tell me, if the children living in this household have heard about child labor?	1=Yes 2=No 3=Don't know	1 2 3

I. Additional Questions on HIV/AIDS²

Respondent Number (from A1)		/ / /
I1. Have you ever heard of the virus HIV or the illness AIDS?	1=Yes 2=No (→end of interview)	1 2
I2. Who told you about it?	A=Parents B=Friends C=Relatives D=Media E=In school	A B C D E

² Based on ILO/IPEC (2003). HIV/AIDS and child labour in Zambia: A rapid assessment. Paper No. 5.

	F=Medical facilities G=In the workplace H=Other (specify):	F G H
13. Only if the response to I2 is “school”: Are there prevention or intervention programs within your school? <i>(read list and mark affirmative answers)</i>	A=Information (brochures, posters, etc.) B=Discussion/education (lessons, workshop, etc.) C=Availability of condoms D=Voluntary testing E=Counseling F=Care and support services G=Antiretroviral treatment H=Other (specify):	A B C D E F G H
14. Only if the response to I2 is “workplace”: Are there prevention or intervention programs within your workplace? <i>(read list and mark affirmative answers)</i>	A=Information (brochures, posters, etc.) B=Discussion/education (lessons, workshop, etc.) C=Availability of condoms D=Voluntary testing E=Counseling F=Care and support services G=Antiretroviral treatment H=Other (specify):	A B C D E F G H
15. Is there anything a person can do to avoid getting HIV, the virus that causes AIDS?	1=Yes 2=No 3=Don't know	1 2 3
16. Do you think a person can get infected with AIDS through supernatural means?	1=Yes 2=No 3=Don't know	1 2 3
17. Can people protect themselves from the AIDS virus by using a condom?	1=Yes 2=No 3=Don't know	1 2 3
18. Can a person get AIDS from mosquito bites?	1=Yes 2=No 3=Don't know	1 2 3
19. Is it possible for a healthy-looking person to be HIV-positive?	1=Yes 2=No 3=Don't know	1 2 3
I10. Can HIV be transmitted from mother to child?	1=Yes 2=No 3=Don't know	1 2 3
I11. Do you know of a place where you can go to get such a test to see if you have AIDS?	1=Yes 2=No	1 2
I12. I do not want to know the results, but have you ever been tested to see if you have HIV?	1=Yes 2=No	1 2
I13. I do not want to know the results of the test, but have you been told the results?	1=Yes 2=No	1 2
I14. Does your work have any risks to you getting HIV? What are some of the risks?	1=Yes (specify): 2=None	1 2

We have now come to the end of the interview, do you want to ask me any questions?
I will be happy to answer any question you may want to ask me.

Note question asked: _____

THANK YOU VERY MUCH!

Tulane University
COTE D'IVOIRE CHILD LABOUR SURVEY
Child Interview¹

November 8, 2007

1. REGION/ / /	4. CENSUS DISTRICT...../ / / / /
2. DEPARTMENT... .. / / /	5. VILLAGE/TOWN...../ / /
3. SOUS-PREFECTURE...../ / /	
HOUSEHOLD	SCHOOL
6a. HOUSE NUMBER...../ / / / /	6b. SCHOOL NUMBER...../ / / / /
7a. HOUSEHOLD NUMBER...../ / /	
8a. RESPONDENT NUMBER...../ / /	
9. NAME OF INTERVIEWER	
10. NAME OF SUPERVISOR	
11. INTERVIEW LANGUAGE	
12. DATE OF INTERVIEW Day / / / Month / / / Year / / / / /	
13. START OF INTERVIEW Hour / / / Minute / / /	
14. END OF INTERVIEW Hour / / / Minute / / /	

BEFORE THE START OF THE INTERVIEW, FOLLOW THE INFORMED CONSENT PROCEDURES FOR INTERVIEWING A CHILD.

Study Title: Child Labor in the Cocoa Sector
Investigators: William E. Bertrand and Elke de Buhr

We are doing a research study. A research study is a way to find out about something. We are trying to find out about the living situation and the work activities of children in the villages of your country.

You can decide if you want to be in the research study. If you want to be in the study, this is what will happen. You will talk with me. I am the interviewer. I will be asking you questions about your life and work. I will not tell anybody in the house or the village what you have answered, and we will not give your name to anyone. When you talk to me, no other adults or other children are allowed to listen but you may choose an adult or other child to observe the interview from a distance. You can choose any adult or child except one of your parents or guardians.

Some questions may be difficult to answer or the interview may be too long.

We don't know if this study will help you. We hope to learn something that will help children and young people some day.

You don't have to be in this study. It is up to you. You will still be taken care of if you decide that you don't want to be in the study. If you decide to do this but then change your mind, just tell me and I will stop the interview.

If you want to be in this study, please sign or print your name.

I, _____, want to be in this research study.
 Print your name here

 Sign your name here

 Date

¹Prepared by William Bertrand and Elke de Buhr based on ILO National Child Labor Questionnaires and other instruments. Valuable input was provided by team members, partners and other stakeholders.

Thank you for agreeing to answer these questions. If at any time you do not understand a word I use or a question I ask, please let me know. Remember that you can stop me at any time. No one will know what you tell us. We will not give your name to anyone.

If you are ready then, we could start the interview.

A. Child Characteristics

I will start with asking you a few questions about yourself...

A1. Respondent Number		/ / /
A2. How old are you?	Age in years (if unknown, estimate)	/ / /
A3. Sex of child	1=Boy 2=Girl	1 2
A4. What ethnic group do you belong to?	Specify:	
A5. What religion do you belong to?	1=Catholic 2=Protestant 3=Muslim 4=Other (specify):	1 2 3 4
A6. Where were you born?	1=Cote d'Ivoire (specify village/town): 2=Ghana 3=Burkina-Faso 4=Mali 5=Other country (specify):	1 2 3 4 5
A7. Currently, where do you live?	1=Cote d'Ivoire (specify village/town): 2=Ghana 3=Burkina-Faso 4=Mali 5=Other country (specify):	1 2 3 4 5
A8. If you were born in a location different than your current place of residence, how did you get to the place where you live today?	1=I came with my Mother and Father who moved here 2=I came with my Father who moved here 3=I came with my Mother who moved here 4=I came with my family relatives (uncle, aunt, cousin, brother, sister, etc.) 5=I came here with a friend of my mother and/or father or family 6=I came with my friend/friends 7=I came here with a person I recently met 8=I came by myself 9=Other (specify): _____ 10=I never changed my place of residence	1 2 3 4 5 6 7 8 9 10

B. Caregiving Arrangement

I will now ask you a few questions about who is taking care of you...

Respondent Number (from A1)		/ / /
B1. Can you tell me who primarily takes care of you? <i>(more than one answer allowed)</i>	A=Father B=Mother C=Grandfather D=Grandmother E=Uncle F=Aunt G=Brother H=Sister I=Other relative (specify):	A B C D E F G H I

	J=Employer K=Nobody L=Other (specify):	J K L
B2. Do you live with your birth father?	1=Yes (→ go to B5) 2=No	1 2
B3. Why are you not living with your birth father?	1=He died 2=He works in different village/town 3=He is divorced/separated from my mother 4=He left me/us 5=I go to school in different village/town 6=I go to work in different village/town 7=I was sent to live with my family relatives 8=Other (specify): 9=Don't know	1 2 3 4 5 6 7 8 9
B4. How old were you when you stopped living with your birth father?	Age in years 98=Don't know	/ _ / _ /
B5. Do you live with your birth mother?	1=Yes (→ go to C1) 2=No	1 2
B6. Why are you not living with your birth mother?	1=She died 2=She works in different village/town 3=She is divorced/separated from my father 4=She left me/us 5=I go to school in different village/town 6=I go to work in different village/town 7=I was sent to live with my family relatives 8=Other (specify): 9=Don't know	1 2 3 4 5 6 7 8 9
B7. How old were you when you stopped living with your birth mother?	Age in years 98=Don't know	/ _ / _ /

C. Migration (and Trafficking)²

I am now going to ask a few questions about where you and your family come from...

Respondent Number (from A1)		/ _ / _ /
C1. Where do your father and his family come from?	1=Cote d'Ivoire (specify village/town): 2=Ghana 3=Burkina-Faso 4=Mali 5=Other country (specify):	1 2 3 4 5
C2. Where do your mother and her family come from?	1=Cote d'Ivoire (specify village/town): 2=Ghana 3=Burkina-Faso 4=Mali 5=Other country (specify):	1 2 3 4 5
C3. Have you always lived where you live today?	1=Yes (go to D1) 2=No	1 2
C4. Where did you live before you moved here?	1=Cote d'Ivoire (specify village/town): 2=Ghana 3=Burkina-Faso 4=Mali 5=Other country (specify):	1 2 3 4 5

² Based on ILO Convention 183 (WFCL) and UN Protocol to Prevent, Suppress and Punish Trafficking in Persons.

C5. For how many years have you lived where you live today?	Number of years 98=Don't know	/ _ / _ /
C6. Who moved with you to where you live today?	1=My mother and father 2=Only my father 3=My father and his other wife/wives 4=Only my mother 5=My mother with her other husband 6=I moved without my mother and father (→ go to C8) 7=Someone else (specify): (→ go to C8)	1 2 3 4 5 6 7
C7. If you moved <u>with</u> a parent or guardian, what was the reason for moving? <i>(more than one answer allowed)</i>	A=My parent/guardian built a house B=My parent/guardian bought farm/land C=My parent/guardian inherited farm/land D=My parent/guardian entered a sharecropping arrangement E=My parent/guardian started seasonal work in agriculture F=My parent/guardian was looking for job G=My parent/guardian found a job (specify): H=My parent/guardian wanted me to go to (a better) school I=Other (specify): J=I don't know (→ go to C9)	A B C D E F G H I J
C8. If you moved <u>without</u> a parent or guardian, what was the reason for moving? <i>(more than one answer allowed)</i>	A=I was looking for job B=I found a job (specify): C=Because of my school/training D=Because of my marriage E=My mother and father could not take care of me F=I am staying with my relatives G=My friends were leaving so I joined them H=A person I recently met asked me if I wanted to I=Other (specify): J=I don't know	A B C D E F G H I J
C9. Who decided that you would move to where you live today? <i>(more than one answer allowed)</i>	A=My father B=My mother C=My relatives D=My friends E=A person I recently met F=I decided G=Other (specify): H=Don't know	A B C D E F G H
C10. Did you want to move?	1=Yes (→ go to C12) 2=I had mixed feeling about it 3=No 4=I don't know	1 2 3 4
C11. Why didn't you want to move or have mixed feeling about moving? <i>(read list and mark affirmative answers)</i>	A=I was going to be separated from my mother and father B=I was going to be separated from my relatives C=I was going to be separated from friends and community D=I was not sure about the person I was going to go with E=I did not want to leave my school/training F=I was frightened about the unknown G=I was frightened about being hurt/abused H=Other (specify): I=I don't know	A B C D E F G H I
C12. Could you describe your living after you moved? <i>(read list and mark affirmative answers)</i>	A=I am happy that I moved, my life is better B=I am unhappy that I moved, my life is far worse C=My life is the same; my move did not change my life one way or the other D=I was told about all these good things that were going to happen when I moved, but I find that it was not true E=Other (specify): F=I don't know	A B C D E F

C13. How did you move here?	1=I moved by bus 2=I moved by car 3=I moved by cart 4=I walked (go to next section) 5=Other (specify):	1 2 3 4 5
C14. Who paid for your transportation?	1=My family paid 2=The person I went with paid 3=I paid myself 4=Someone else (specify): 5=I can't remember	1 2 3 4 5

D. Work Activities

I am now going to ask you some question about your work...

Respondent Number (from A1)		/ / /
D1. Work in agriculture involves work on your own or the household's plot, farm, food garden, or help in growing farm produce or in looking after animals for the household. Did you work in agriculture for at least one hour during the past 7 days?	1=Yes 2=No	1 2
D2. Did you work on a cocoa farm for at least one hour during the past 7 days?	1=Yes 2=No	1 2
D3. I am going to read a list of work activities in agriculture, please tell me, during the last 7 days, have you worked at any of the following activities? <i>(read list and mark affirmative answers)</i>	A=Land clearing B=Felling and chopping C=Burning D=Stumping E=Pegs cutting F=Lining and pegging G=Holing/planting of suckers H=Preparation of seedlings I=Holing/planting of seedlings J=Sowing at stake K=Weeding L=Spraying insecticide M=Applying fertilizer N=Applying fungicide/herbicides/other chemicals O=Carrying water for spraying P=Sanitation and pruning Q=Mistletoe control R=Plucking of cocoa pods S=Gathering and heaping cocoa pods T=Cocoa pod breaking and fermentation U=Carting fermented cocoa beans V=Drying cocoa beans W=Carting of dry cocoa beans to shed X=Other (specify): Y=None	A B C D E F G H I J K L M N O P Q R S T U V W X Y
D4. Work in agriculture involves work on your own or the household's plot, farm, food garden, or help in growing farm produce or in looking after animals for the household. During the last 12 months, have you worked in agriculture?	1=Yes 2=No	1 2
D5. During the last 12 months, have you worked in cocoa farming?	1=Yes 2=No	1 2

<p>D6. I am going to read a list of work activities in agriculture, please tell me, during the last <u>12 months</u>, have you worked at any of the following activities? (read each and mark affirmative answers)</p>	<p>A=Land clearing B=Felling and chopping C=Burning D=Stumping E=Pegs cutting F=Lining and pegging G=Holing/planting of suckers H=Preparation of seedlings I=Holing/planting of seedlings J=Sowing at stake K=Weeding L=Spraying insecticide M=Applying fertilizer N=Applying fungicide/herbicides/other chemicals O=Carrying water for spraying P=Sanitation and pruning Q=Mistletoe control R=Plucking of cocoa pods S=Gathering and heaping cocoa pods T=Cocoa pod breaking and fermentation U=Carting fermented cocoa beans V=Drying cocoa beans W=Carting of dry cocoa beans to shed X=Other (specify): Y=None (→ go to D8)</p>	<p>A B C D E F G H I J K L M N O P Q R S T U V W X Y</p>
<p>D7. During the last <u>12 months</u>, who did you work for when doing work in agriculture? (more than one answer allowed)</p>	<p>A=My father B=My mother C=My relative (specify): D=A friend of my mother and father E=My friend F=A man who owns the farm or field G=A contractor who rents the farm or field H=Myself I=Other (specify): J=Don't know</p>	<p>A B C D E F G H I J</p>
<p>D8. Have you done economic activity other than agriculture for at least one hour during the past <u>7 days</u>?</p>	<p>1=Yes 2=No</p>	<p>1 2</p>
<p>D9. During the last <u>7 days</u>, have you done any of the following work activities? I am going to list a number of work activities, you can answer yes to more than one activity if you have done it. (read list and mark affirmative answers)</p>	<p>A=Run or do any kind of business, big or small, for himself/herself or with one or more partners B=Do any work for a wage, salary, commission or any payment in kind (excluding domestic work) C=Do any work as a domestic worker for a wage, salary or any payment in kind D=Help unpaid in a household business of any kind E=Do any construction or major repair work on his/her own home, plot, or business, or those of the household F=Catch any fish, prawns, shells, wild animals or other food for sale or household food G=Fetch water or collect firewood for household use</p>	<p>A B C D E F G</p>

	H=Produce any other good for this household use I=Other (specify): J=None	H I J
D10. During the last 12 months, have you done economic activities other than agriculture?	1=Yes 2=No	1 2
D11. During the last 12 months, have you done any of the following work activities? <i>(read list and mark affirmative answers)</i>	A=Run or do any kind of business, big or small, for himself/herself or with one or more partners B=Do any work for a wage, salary, commission or any payment in kind (excluding domestic work) C=Do any work as a domestic worker for a wage, salary or any payment in kind D=Help unpaid in a household business of any kind E=Do any construction or major repair work on his/her own home, plot, or business, or those of the household F=Catch any fish, prawns, shells, wild animals or other food for sale or household food G=Fetch water or collect firewood for household use H=Produce any other good for this household use I=Other (specify): J=None (→ go to D13)	A B C D E F G H I J
D12. During the last 12 months, who did you work for when performing economic activity other than agriculture? <i>(more than one answer allowed)</i>	A=My father B=My mother C=My relative (specify): D=A friend of my mother and father E=My friend F=Someone not related to my family G=Myself H=Other (specify): I=Don't know	A B C D E F G H I
D13. During the last 7 days, have you done any household work?	1=Yes 2=No	1 2
D14. In the last 7 days, did you do any of the following work activities? <i>(read list and mark affirmative answers)</i>	A=Shopping for household B=Repairing any household equipment C=Cooking D=Cleaning utensils/house E=Washing clothes F=Caring for children/older/sick G=Other household tasks (specify): H=I did not perform household work	A B C D E F G H
D15. During the last 12 months, have you done any household work?	1=Yes 2=No	1 2
D16. In the last 12 months, did you do any of the following activities? (read each and mark affirmative answers)	A=Shopping for household B=Repairing any household equipment C=Cooking D=Cleaning utensils/house E=Washing clothes	A B C D E

	F=Caring for children/older/sick G=Other household tasks (specify): H=I did not perform household work (→ go to E1)	F G H
D17. During the last 12 months, who did you work for when performing household work? <i>(more than one answer allowed)</i>	A=My father B=My mother C=My relative (specify): D=A friend of my mother and father E=My friend F=Someone not related to my family G=Myself H=Other (specify): I=Don't know	A B C D E F G H I

E. Working Hours³

I am now going to ask you some questions about your working hours...

Respondent Number (from A1)		/ / /
E1. Approximately, how many hours do you usually spend per day on work in agriculture? Give me your best guess if you don't know the exact number of hours.	Number of hours per day 98=Don't know 99=I usually don't work in agriculture (→ go to E5)	/ _ / _ /
E2. When do you usually work in agriculture? <i>(read list and mark affirmative answers)</i>	A=All day from when I wake till when I go to sleep B=In the morning C=In the afternoon D=After school E=On the weekends F=During school holidays G=Don't know	A B C D E F G
E3. Approximately, how many hours do you usually work per day on a cocoa farm? Give me your best guess if you don't know the exact number of hours.	Number of hours per day 98=Don't know 99=I usually don't work on a cocoa farm (→ go to E5)	/ _ / _ /
E4. When do you usually work on a cocoa farm? <i>(read list and mark affirmative answers)</i>	A=All day from when I wake till when I go to sleep B=In the morning C=In the afternoon D=After school E=On the weekends F=During school holidays G=Don't know	A B C D E F G
E5. I would like to get a better idea of your working hours. For each day worked during the past week, how many hours did you actually work in agriculture? <i>(read list and specify number)</i>	Monday (number of hours) Tuesday (number of hours) Wednesday (number of hours) Thursday (number of hours) Friday (number of hours) Saturday (number of hours) Sunday (number of hours) 98=Don't know	/ _ / _ / / _ / _ /
E6. What is the total number of hours you spent on work in agriculture in the past 7 days?	Number of hours per week 98=Don't know	/ _ / _ /

³ Based on ILO Convention 182 (WFCL) and ILO Convention 138 (Minimum Age).

<p>E7. For each day worked during the past week, how many hours did you actually work on a cocoa farm?</p> <p><i>(read list and specify number)</i></p>	<p>Monday (number of hours) Tuesday (number of hours) Wednesday (number of hours) Thursday (number of hours) Friday (number of hours) Saturday (number of hours) Sunday (number of hours)</p> <p>98=Don't know</p>	<p>/ / / / / / / /</p>
<p>E8. What is the total number of hours you worked on a cocoa farm in the past 7 days?</p>	<p>Number of hours per week</p> <p>98=Don't know</p>	<p>/ / / /</p>
<p>E9. How old were you when you started working in agriculture for the first time?</p>	<p>Age in years</p> <p>98=Don't know 99=Never worked in agriculture</p>	<p>/ / / /</p>
<p>E10. Approximately, how many hours do you usually spend a day on economic activities other than agriculture?</p>	<p>Number of hours per day</p> <p>98=Don't know 99=I usually don't perform economic activities other than agriculture (→ go to E12)</p>	<p>/ / / /</p>
<p>E11. When do you usually work on economic activities other than agriculture?</p> <p><i>(read list and mark affirmative answers)</i></p>	<p>A=All day from when I wake till when I go to sleep B=In the morning C=In the afternoon D=After school E=On the weekends F=During school holidays G=Don't know</p>	<p>A B C D E F G</p>
<p>E12. For each day worked during the past week, how many hours did you actually work in economic activities other than agriculture?</p> <p><i>(read list and specify number)</i></p>	<p>Monday (number of hours) Tuesday (number of hours) Wednesday (number of hours) Thursday (number of hours) Friday (number of hours) Saturday (number of hours) Sunday (number of hours)</p> <p>98=Don't know</p>	<p>/ / / / / / / /</p>
<p>E13. What is the total number of hours you spent on economic activities other than agriculture in the past 7 days?</p>	<p>Number of hours per week</p> <p>98=Don't know</p>	<p>/ / / /</p>
<p>E14. How old were you when you started doing economic activities other than agriculture for the first time?</p>	<p>Age in years</p> <p>98=Don't know 99=Never performed economic activities other than agriculture</p>	<p>/ / / /</p>
<p>E15. Approximately, how many hours do you usually spend a day on household work?</p>	<p>Number of hours per day</p> <p>98=Don't know 99=I usually don't perform household work (→ go to E17)</p>	<p>/ / / /</p>
<p>E16. When do you usually work in the household?</p> <p><i>(read list and mark affirmative answers)</i></p>	<p>A=All day from when I wake till when I go to sleep B=In the morning C=In the afternoon D=After school E=On the weekends F=During school holidays G=Don't know</p>	<p>A B C D E F G</p>

E17. For each day worked during the past week, how many hours did you actually spend on household work? <i>(read list and specify number)</i>	Monday (number of hours) Tuesday (number of hours) Wednesday (number of hours) Thursday (number of hours) Friday (number of hours) Saturday (number of hours) Sunday (number of hours)	/ / / / / / / /
	98=Don't know	
E18. What is the total number of hours you spent on household work in the past 7 days?	Number of hours per week 98=Don't know	/ / / /
E19. How old were you when you started doing household work for the first time?	Age in years 98=Don't know 99=Never performed household work	/ / / /

F. Injury and Illness⁴

I am now going to ask you some questions about your experience with difficult or dangerous work, including any accidents or illness you might have experienced in the last 12 months...

Respondent Number (from A1)		/ / /
F1. Did you experience any of the following injuries related to work in agriculture in the past 12 months? <i>(read list and mark affirmative answers)</i>	A=Wounds/cuts B=Broken bones C=Snake bites D=Insect bites E=Back pains F=Muscle pains G=Other pains (specify): H=Hurt by fire or heat of the sun I=Skin itchiness or scratches J=Other (specify): K=I did not experience any injuries L=I do not work in agriculture (→ go to F5)	A B C D E F G H I J K L
F2. How many times do you recall having been injured while performing work in agriculture in the past 12 months?	Number of times 98=Don't know	/ / / /
F3. What were the agricultural activities that you carried out when you suffered your worst injury in the past 12 months?	Specify:	
F4. Did you experience any of the following health consequences from injuries related to work in agriculture in the past 12 months? <i>(read list and mark affirmative answers)</i>	A=I was in very bad pain B=I felt very sick or tired C=I did not feel well for a long time D=I had to receive treatment at a health center E=I had to receive treatment at a hospital F=I could not continue working G=I could not go to school H=Other (specify): I=I did not experience any impact	A B C D E F G H I

⁴ Based on ILO Convention 183 (WFCL) and ILO Recommendation 190.

F5. Have you experienced any injuries related to economic activities other than agriculture in the past 12 months?	1=Yes (specify): 2=No	1 2
F6. Have you experienced any injuries related to household work in the past 12 months?	1=Yes (specify): 2=No	1 2
F7. Have you had any of the following illnesses and other health problems in the past 12 months? <i>(read list and mark affirmative answers)</i>	A=Diarrhea B=Vomiting C=Fever (high body temperature) D=Infections of respiratory tracts (flu) E=Malaria F=Typhoid fever G=Anemia H=Cholera I=Eye problems (hurt or sore) J=Stomach problems (pains or other discomfort) K=Breathing problems (difficulty in breathing) L=Extreme fatigue (very tired) M=Other (specify): N=None	A B C D E F G H I J K L M N
F8. When you were ill or injured in the past 12 months, what type of treatment did you receive? <i>(more than one answer allowed)</i>	A=I received first aid B=I took medicine C=A nurse at the health center cared for me D=A doctor and/or nurse in the hospital cared for me E=I went to the drug store and the person who knows about drugs helped me F=I took some herbal medicine G=A spiritualist/religious person cared for me H=I prayed using traditional methods I=Other (specify): J=I did not receive any care or help	A B C D E F G H I J
F9. When you were ill or injured in the past 12 months, who paid for your treatment? <i>(more than one answer allowed)</i>	A=My parents/guardians B=Family relatives (specify): C=I paid for myself D=Person I work for E=Family health insurance F=The treatment was free G=Other (specify): H=Nobody paid for me, I did not receive treatment	A B C D E F G H

G. Heavy Loads⁵

I am now going to ask you some question about heavy loads when you are working...

Respondent Number (from A1)		/ / /
G1. Did you have to carry heavy loads as part of the following agricultural activities in the past 12 months? <i>(read list and mark affirmative answers)</i>	A=Carrying timber and other loads during land clearing B=Carrying water for spraying C=Gathering and heaping cocoa pods D=Carting fermented cocoa beans E=Carting of dry cocoa beans to shed F=Other (specify): G=None H=I don't work in agriculture (→ go to G3)	A B C D E F G H

⁵ Based on ILO Convention 183 (WFCL) and ILO Recommendation 190.

G2. Did you experience any of the following health consequences from carrying heavy loads when working in agriculture in the past 12 months? <i>(read list and mark affirmative answers)</i>	A=I was in very bad pain B=I felt very sick or tired C=I did not feel well for a long time D=I had to receive treatment at a health center E=I had to receive treatment at a hospital F=I could not continue working G=I could not go to school H=Other (specify): I=I did not experience any impact	A B C D E F G H I
G3. Did you have to carry heavy loads as part of economic activities other than agriculture in the past 12 months?	1=Yes (specify): 2=No	1 2
G4. Did you have to carry heavy loads as part of household work in the past 12 months?	1=Yes (specify): 2=No	1 2

H. Environmental Hazards⁶

I am now going to ask you some question about difficulties or dangers you may have experienced while working...

Respondent Number (from A1)		/ / /
H1. Have you experienced any of the following difficulties or dangers while working in agriculture in the past 12 months? <i>(read list and mark affirmative answers)</i>	A=Dust or dangerous fumes B=Fire, gas or flames C=Very hot weather D=Long hours in the direct sun E=Work at dangerous heights (high up on a trees, etc.) F=Work in water, like, pond or river G=Spraying of pesticides, insecticides, H=Other (specify): I=None J=I don't work in agriculture (→ go to H3)	A B C D E F G H I J
H2. Did you experience any of the following health consequences from exposure to one or more of the environmental hazards we just talked about when working in agriculture in the past 12 months? <i>(read list and mark affirmative answers)</i>	A=I was in very bad pain B=I felt very sick or tired C=I did not feel well for a long time D=I had to receive treatment at a health center E=I had to receive treatment at a hospital F=I could not continue working G=I could not go to school H=Other (specify): I=I did not experience any impact	A B C D E F G H I
H3. Have you been exposed to one or more of the environmental hazards we just talked about as part of economic activities other than agriculture in the past 12 months?	1=Yes (specify): 2=No	1 2
H4. Have you been exposed to one or more of the environmental hazards we just talked about as part of household work in the past 12 months?	1=Yes (specify): 2=No	1 2

⁶ Based on ILO Convention 183 (WFCL) and ILO Recommendation 190.

I. Tools, Equipment and Machinery⁷

Respondent Number (from A1)		/ / /
I1. When working in agriculture did you use any of the following tools, equipment or machinery in the past <u>12 months</u>? <i>(read list and mark affirmative answers)</i>	A=Machete B=Tractor C=Bullock D=Hoe E=Sprayer F=Other (specify): G=None H=Did not work in agriculture (→ go to I5)	A B C D E F G H
I2. Do you remember being injured when using any of these tools or machinery while working in agriculture in the past <u>12 months</u>?	1=Yes (specify): 2=No	1 2
I3. Did you experience any of the following health consequences from operating tools or machinery when working in agriculture in the past <u>12 months</u>? <i>(read list and mark affirmative answers)</i>	A=I was in very bad pain B= I felt very sick or tired C=I did not feel well for a long time D=I had to receive treatment at a health center E=I had to receive treatment at a hospital F=I could not continue working G=I could not go to school H=Other (specify): I=I did not experience any impact	A B C D E F G H I
I4. In the past <u>12 months</u>, did you use any protective wear while working in agriculture? <i>(read list and mark affirmative answers)</i>	A=Protective boots B=Gloves C=Protective clothing D=Nose/gas mask E=Other (specify): F=None	A B C D E F
I5. Did you operate tools or machinery as part of economic activities other than agriculture in the past <u>12 months</u>?	1=Yes (specify): 2=No	1 2
I6. Did you operate tools and machinery as part of household work in the past <u>12 months</u>?	1=Yes (specify): 2=No	1 2

J. Forced Labor⁸

I am now going to ask you some questions about work you may have had to do against your will...

Respondent Number (from A1)		/ / /
J1. In the past <u>12 months</u>, have you been forced to do work against your will?	1=Yes 2=No (→ go to K1)	1 2
J2. What kind of work have you been forced to do against your will in the past <u>12 months</u>? <i>(more than one answer allowed)</i>	A=Work in agriculture B=Economic activity other than agriculture C=Household work D=Other (specify):	A B C D
J3. Please tell me a bit more about the work you were forced to do in the past <u>12 months</u>.	Specify:	

⁷ Based on ILO Convention 183 (WFCL) and ILO Recommendation 190.

⁸ Based on ILO Convention 183 (WFCL) and ILO Convention 29 (Forced Labor).

J4. In the past <u>12 months</u>, how often have you been forced to do work against your will?	1=1 time 2=2-5 times 3=5-20 times 4=More than 20 times	1 2 3 4
J5. Who forced you to work? <i>(more than one answer allowed)</i>	A=My father B=My mother C=A family relative (specify): D=The person who brought me here who is not a family member to me E=The person I worked for who is not a family member to me F=Somebody else (specify):	A B C D E F
J6. Why didn't you want to work when you were asked to? <i>(read list and mark affirmative answers)</i>	A=The work was hard or difficult B=The work involved long working hours C=It was dangerous work D=It was boring work E=Because I had to do what adults don't like to do F=I did not like my employer G=I did not like the people I was working with H=Because I had to skip school or drop out of school I=I felt too weak or sick for that kind of work J=Because I have heard that children like us must not do this kind of work K=I felt others were able to do it better L=I felt that it was not fair that I was asked to do this work M=Because I could not be with my family and friends N=My employer did not pay me O=Other (specify):	A B C D E F G H I J K L M N O
J7. If you refuse to work what would happen to you? <i>(read list and mark affirmative answers)</i>	A=I would receive insults B=I would be beaten C=I would not have anything to eat D=I would not get paid E=I would have no money to go to school F=I would have been punished G=I would have been given harder work H=Other (specify):	A B C D E F G H

K. Compensation and Debts⁹

I am now going to ask you questions about how you have been paid or in another way rewarded for your work...

Respondent Number (from A1)		/ _ / _ /
K1. Have received any payment for work you did in agriculture in the past <u>12 months</u>?	1=Yes 2=No (→ go to K3) 3=Did not work in agriculture (→ go to K4)	1 2 3
K2. How much were you paid for work you did in agriculture in the past <u>12 months</u>?	Payment (in CFA) 9998=Don't know	/ _ / _ / _ / _ /
K3. Tell me about other rewards that you might have received for work you did in agriculture in the past <u>12 months</u>?	A=Food/meals B=Clothing C=Place to live for free D=Paid for my medical expenses E=Paid for my school expenses	A B C D E

⁹ Based on ILO Convention 183 (WFCL) and UN Supplemental Convention on the Abolition of Slavery.

<i>(read list and mark affirmative answers)</i>	F=Paid for my transportation expenses G=Other (specify): H=None	F G H
K4. Have you received any payment for economic activity other than agriculture in the past <u>12 months</u>?	1=Yes 2=No (→ go to K6)	1 2
K5. How much were you paid for economic activity other than agriculture in the past <u>12 months</u>?	Payment (in CFA) 9998=Don't know	/ _ / _ / _ / _ /
K6. Has someone else, for example your father, mother or another person, been paid for work you have done in the past <u>12 months</u>?	1=Yes 2=No (→ go to K9)	1 2
K7. Who received payment from work you did in the past <u>12 months</u>? <i>(more than one answer allowed)</i>	A=My father B=My mother C=A family relative (specify): D=The person who brought me here who is not a family member to me E=The person I worked for who is not a family member to me F=Somebody else (specify):	A B C D E F
K8. How much was this person paid for work you did in the past <u>12 months</u>?	Payment (in CFA) 9998=Don't know	/ _ / _ / _ / _ /
K9. If you received any payment for work you did in the past <u>12 months</u>, what did you do with your earnings? <i>(more than one answer allowed)</i>	A=Gave all/part of money to my parents/guardians B=Employer gave all/part of money to my parents/guardians C=Paid my school fees D=Bought things for school E= Bought things for household F= Bought things for myself G=Paid debts H=Saved I=Other (specify): J=I did not receive any payment (→ go to L1)	A B C D E F G H I J
K10. Has the money you earned in the past 12 months helped to pay back money you or a member of your family owed to someone else?	1=Yes, it helped to pay off my debts 2=Yes, it helped to pay off my family's debts 3=My family or I do not have debts (→ go to L1) 4=Don't know (→ go to L1)	1 2 3 4
K11. Who did you or a member of your family give the money to? <i>(more than one answer allowed)</i>	A=Employer/farm owner B=People who helped with travel arrangements C=People who helped with finding this job D=Someone I borrowed money from E=Someone my family borrowed money from F=Other (specify): G=Don't know	A B C D E F G
K12. How much do you or your family owe?	My debt (in CFA) My family's debt (in CFA) 9998=Don't know	/ _ / _ / _ / _ / / _ / _ / _ / _ /

K13. Do you have to continue working until all the money owed is paid back?	1=Yes	1
	2=No	2
	3=Don't know	3

L. Education

Now I am going to ask you some questions about your education/schooling...

Respondent Number (from A1)		/ _ / _ /
L1. Can you read a short, simple statement in any language?	1=Yes 2=No	1 2
L2. Can you write a short, simple statement in any language?	1=Yes 2=No	1 2
L3. Can you count from 1 to 100?	1=Yes 2=No	1 2
L4. Have you attended school or preschool in the past 12 months?	1=Yes 2=No (→ go to L9)	1 2
L5. If you have attended school, what kind of school did you go to in the past 12 months?	1=Pre-school 2=Primary 3=Secondary 4=Vocational 5=Other (specify):	1 2 3 4 5
L6. What is the highest level/grade that you have completed at this school?	Grade 98=Don't know 99=Preschool	/ _ / _ /
L7. Did you sometimes miss school days in the past 12 months?	1=Yes 2=No (→ go to L14)	1 2
L8. I am going to read you a list of some reasons of why students might miss school days. Please tell me if any of these were why you missed school for some days in the past 12 months? <i>(read list and mark affirmative answers)</i>	A=I was ill B=I was injured C=I am/was disabled D=The school is too far E=I could not afford schooling F=My family did not allow me to go to school G=I was not very good in my studies H=I was not interested in school I=Education was not valuable to me J=My school is/was not safe K=I wanted to learn a job/skill instead L=I worked for pay M=My family needed me for the family business N=I had to do farm work O=I had to help at home with household chores P=The weather conditions were very bad Q=An emergency happened in my family where I was needed R=I had to travel S=Other (specify): (→ go to L14)	A B C D E F G H I J K L M N O P Q R S
L9. If you have not attended school in the past 12 months, did you ever attend school or preschool?	1=Yes 2=No (→ go to L13)	1 2
L10. When did you stop attending school?	Year 9998=Don't know	/ _ / _ / _ /
L11. What type of school did you attend at that time?	1=Pre-school 2=Primary 3=Secondary	1 2 3

	4=Vocational 5=Other (specify):	4 5
L12. What is the highest level/grade that you have completed at this school?	Grade 98=Don't know 99=Preschool	/_/_/_/
L13. I am going to read you a list of some reasons of why students might not attend school or drop out of school. Please tell me if any of these were why you have not attended school in the past 12 months? <i>(read list and mark affirmative answers)</i>	A=I have completed my compulsory schooling B=I am too old for school C=I am too young for school D=I was ill E=I was injured F=I am/was disabled G=The school is too far H=I cannot afford schooling I=My family does not allow me to go to school J=I am not very good in my studies K=I am not interested in school L=Education is not valuable to me M=My school is not safe N=I wanted to learn a job/skill instead O=I worked for pay P=My family needed me for the family business Q=I have to do farm work R=I have to help at home with household chores S=Other (specify):	A B C D E F G H I J K L M N O P Q R S
L14. At what age did you first start primary school?	Age in years 98=Don't know 99=Never attended primary school	/_/_/_/
L15. Has your schooling been affected by the work you did in the past 12 months?	1=Yes (→ go to L17) 2=No (→ go to L17) 3=Did not do any work	1 2 3
L16. How did the work you perform affect your education? <i>(more than one answer allowed)</i>	A=Injury B=Illness C=Missed school days D=Missed classes/lessons E=Could not do homework F=Could not study for exams G=Could not concentrate H=Other (specify):	A B C D E F G H
L17. Have you ever received a vocational or skill training?	1=Yes 2=No (→ go to M1)	1 2
L18. If you have received a vocational or skill training, what were you trained in? <i>(more than one answer allowed)</i>	A=Agriculture B=Carpentry C=Masonry D=Fitting/mechanics E=Tailoring/dressmaking F=Driving G=Blacksmithing H=Electrical I=Draughtsmanship J=Hairdressing K=Bakery/catering L=Textiles/weaving M=Other (specify):	A B C D E F G H I J L K M
L19. Did you receive a certificate for the training?	1=Yes (specify): 2=No	1 2

M. Nutrition¹⁰ (skip if child is under 10 years)

I am going to ask you some question about your health...

Respondent Number (from A1)		/ _ / _ /
M1. How tall are you without your shoes on?	Height in cm (take measurement) 998=Don't know	/ _ / _ / _ /
M2. How much do you weigh without your shoes on?	Weight in kg (take measurement, if possible) 998=Don't know	/ _ / _ / _ /
M3. During the past 30 days, how often have you gone hungry because there was not enough food in your home?	1=Never 2=Rarely 3=Sometimes 4=Most of the time 5=Always	1 2 3 4 5
M4. During the past 30 days, how many times per day did you usually eat fruit, such as oranges, pineapple, watermelon, banana, guava, pear, sweet apple, mangoes, or pawpaw?	1=Did not eat fruit 2=Less than one time per day 3=1 time per day 4=2 times per day 5=3 times per day 6=4 times per day 7=5 or more times per day	1 2 3 4 5 6 7
M5. During the past 30 days, how many times per day did you usually eat vegetables, such as kontomire, garden eggs, lettuce, cabbage, okra, alefu, bira, ayoyo, or bean leaves?	1=Did not eat vegetables 2=Less than one time per day 3=1 time per day 4=2 times per day 5=3 times per day 6=4 times per day 7=5 or more times per day	1 2 3 4 5 6 7
M6. During the past 7 days, on how many days have you eaten toffee or candy?	Number of days	/ _ /
M7. Have you ever tasted chocolate?	1=Yes 2=No 3=Don't know	1 2 3
M8. During the past 7 days, on how many days have you eaten meat or fish, such as chicken, turkey, duck, or beef?	Number of days	/ _ /
M9. Where does the drinking water come from at your home? <i>(more than one answer allowed)</i>	1=Tap water 2=Bore hole 3=Well 4=Rain water 5=River or dam 6=Other (specify):	1 2 3 4 5 6
M10. If you work away from home, what is the source of drinking water at work? <i>(more than one answer allowed)</i>	1=Tap water 2=Bore hole 3=Well 4=Rain water 5=River or dam 6=Other (specify): 7=Does not work away from home (→ go to N1)	1 2 3 4 5 6 7
M11. If you work away from home, are meals provided to you at work?	1=Yes 2=No (→ go to N1)	1 2

¹⁰ Based on WHO (2007). Ghana GSHS Questionnaire. Global school-based student health survey (GSHS). <http://www.who.int/chp/steps/2007%20Ghana%20GSHS%20Questionnaire.pdf>

M12. If meals are provided to you at work, what do you usually eat?	Specify:.....	
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N. Maltreatment and Neglect¹¹ (skip if child is under 10 years)

I am now going to ask you some questions about how you are treated by the grown-ups in your life...

Respondent Number (from A1)		/ / /
N1. In the last year, did a grown-up in your life hit, beat, kick, or physically hurt you in any way?	1=Yes (specify) : 2=No 3=I don't want to answer	1 2 3
N2. In the last year, did you get scared or feel really bad because grown-ups in your life called you names, said mean things to you, or said they didn't want you?	1=Yes (specify) : 2=No 3=I don't want to answer	1 2 3
N3. When someone is neglected, it means that the grown-ups in their life didn't take care of them the way they should. They might not get them enough food, take them to the health center or hospital when they are sick, or make sure they have a safe place to stay. In the last year, did you get neglected?	1=Yes (specify) : 2=No 3=I don't want to answer	1 2 3
N4. Sometimes a family fights over where a child should live. In the last year, did a parent take, keep, or hide you to stop you from being with another parent?	1=Yes (specify) : 2=No 3=I don't want to answer	1 2 3
N5. In the last year, were you made to go somewhere by someone who you thought might hurt you?	1=Yes (specify) : 2=No 3=I don't want to answer	1 2 3
N6. In the last year, were you hit or attacked because of your tribe, ethnic group, religion, or where your family comes from? Or because of a physical problem you have?	1=Yes (specify) : 2=No 3=I don't want to answer	1 2 3
N7. How would you describe your relationship with your birth father in the past year?	1=Good (→ go to N9) 2=Bad 3=Other (specify): (→ go to N9) 4=Father deceased (→ go to N9) 5=No contact (→ go to N9) 6=I don't want to answer (→ go to N9)	1 2 3 4 5 6
N8. Since you say your relationship with your birth father has not been good, what were the reasons? <i>(read list and mark affirmative answers)</i>	1=Neglect 2=Abuses verbally 3=Abuses physically 4=Wants too much work done 5=Other (specify):	1 2 3 4 5

¹¹ Based on Hamby, S.L., Finkelhor, D., Ormrod, R., Turner, H. Juvenile Victimization Questionnaire (JVQ), Crimes Against Children Research Center, University of New Hampshire, Durham.
http://www.unh.edu/ccrc/juvenile_victimization_questionnaire.html

N9. How would you describe your relationship with your birth mother in the past year?	1=Good (→ go to N11) 2=Bad 3=Other (specify): (→ go to N11) 4=Mother deceased (→ go to N11) 5=No contact (→ go to N11) 6=I don't want to answer (→go to N11)	1 2 3 4 5 6
N10. Since you say your relationship with your birth mother has not been good, what were the reasons? <i>(read list and mark affirmative answers)</i>	1=Neglect 2=Abuses verbally 3=Abuses physically 4=Wants too much work done 5=Other (specify):	1 2 3 4 5
N11. If you have been working for someone other than your birth mother or father in the past year, how would you describe your relationship with the person you worked for?	1=Good (→ go to O1) 2=Bad 3=Other (specify): (→ go to O1) 4= Did not work for somebody other than parents (→ go to O1) 5=I don't want to answer (→go to O1)	1 2 3 4 5
N12. Since you say your relationship with this person has not been good, what were the reasons? <i>(read list and mark affirmative answers)</i>	1=Neglect 2=Wants too much work done 3=Pays poorly 4=Does not pay on time 5=Does not pay at all 6=Inadequate food 7=Abuses verbally 8=Abuses physically 9=Other (specify): 10=I don't want to answer	1 2 3 4 5 6 7 8 9 10

O. Life Satisfaction¹² (skip if child is under 10 years)

I am now going to ask you some questions about your life...

Respondent Number (from A1)		/ / /
O1. How happy are you with your life as a whole?	10=Very happy 7.5=Happy 5=Not happy or sad 2.5=Sad 0=Very sad	10 7.5 5 2.5 0
O2. How happy are you about the things you have?	10=Very happy 7.5=Happy 5=Not happy or sad 2.5=Sad 0=Very sad	10 7.5 5 2.5 0
O3. How happy are you with your health?	10=Very happy 7.5=Happy 5=Not happy or sad 2.5=Sad 0=Very sad	10 7.5 5 2.5 0
O4. How happy are you with the things you want to be good at?	10=Very happy 7.5=Happy 5=Not happy or sad 2.5=Sad 0=Very sad	10 7.5 5 2.5 0

¹² Based on Cummins, Robert A., Lau, Anna L.D. (2005). Personal Wellbeing Index – School Children (PWI-SC). 3rd Edition. School of Psychology, Deakin University, Australia.

O5. How happy are you about getting on with the people you know?	10=Very happy 7.5=Happy 5=Not happy or sad 2.5=Sad 0=Very sad	10 7.5 5 2.5 0
O6. How happy are you about how safe you feel?	10=Very happy 7.5=Happy 5=Not happy or sad 2.5=Sad 0=Very sad	10 7.5 5 2.5 0
O7. How happy are you about doing things away from your home?	10=Very happy 7.5=Happy 5=Not happy or sad 2.5=Sad 0=Very sad	10 7.5 5 2.5 0
O8. How happy are you about what may happen to you later on in your life?	10=Very happy 7.5=Happy 5=Not happy or sad 2.5=Sad 0=Very sad	10 7.5 5 2.5 0
O9. How happy are you about the work that you do in agriculture?	10=Very happy (→ go to O11) 7.5=Happy (→ go to O11) 5=Not happy or sad 2.5=Sad 0=Very sad 99=I do not perform work in agriculture (→ go to O11)	10 7.5 5 2.5 0 99
O10. Why are you not happy about the work that you do in agriculture? <i>(more than one answer allowed)</i>	A=Work too tiring or difficult B=Guardian/employer too demanding C=Cannot go to school D=Makes me feel sick E=Wages too low F=No future in this work G=Do not get paid H=Other (specify): I=Don't know	A B C D E F G H I
O11. How happy are you about the economic activities other than agriculture that you are doing?	10=Very happy (→ go to O13) 7.5=Happy (→ go to O13) 5=Not happy or sad 2.5=Sad 0=Very sad 99=I do not perform economic activities other than agriculture (→ go to O13)	10 7.5 5 2.5 0 99
O12. Why are you not happy about the other economic activities that you are doing? <i>(more than one answer allowed)</i>	A=Work too tiring or difficult B=Guardian/employer too demanding C=Cannot go to school D=Makes me feel sick E=Wages too low F=No future in this work G=Do not get paid H=Other (specify): I=Don't know	A B C D E F G H I

O13. How happy are you with the household work that you are doing?	10=Very happy (→ go to P1) 7.5=Happy (→ go to P1) 5=Not happy or sad 2.5=Sad 0=Very sad 99=I do not perform household work (→ go to P1)	10 7.5 5 2.5 0 99
O14. Why are you not happy with the household work that you are doing? <i>(more than one answer allowed)</i>	A=Work too tiring or difficult B=Guardian/employer too demanding C=Cannot go to school D=Makes me feel sick E=Wages too low F=No future in this work G=Do not get paid H=Other (specify): I=Don't know	A B C D E F G H I

P. Project Activities (skip if child is under 10 years)

Respondent Number (from A1)		/ / /
P1. Sometimes projects are being carried out in support of working children, school children and other groups of children. Have you ever participated in a project?	1=Yes 2=No (→ go to P9)	1 2
P2. Do you know the name of the project?	1=Yes (specify): 2=No	1 2
P3. Do you know the name of the organization that worked on the project?	1=Yes (specify):..... 2=No	1 2
P4. Where was the project done?	1=Yes (specify): 2=Don't know	1 2
P5. What did you participate in?	Specify:	
P6. When did you participate in the project?	Year 9998=Don't know	/ _ / _ / _ / _ /
P7. What did you enjoy about or get out of participating in the project?	Specify:	
P8. What did you not enjoy about or get out of participating in the project?	Specify:	
P9. Have heard about child labor?	1=Yes 2=No (→ go to Q1) 3=Don't know	1 2 4
P10. What have you heard about child labor?	Specify:	
P11. Can you tell us from whom did you hear about child labor?	Specify:	
P12. What is your opinion about what you have heard about child labor?	Specify:	

Q. Additional Questions on HIV/AIDS¹³ (skip if child is under 10 years)

My final questions are about what you know about HIV/AIDS...

Respondent Number (from A1)		/ / /
Q1. Have you ever heard of the virus HIV or the illness AIDS?	1=Yes 2=No (→end of interview)	1 2
Q2. Who told you about it?	A=Parents B=Friends C=Relatives D=Media E=In school F=Medical facilities G=In the workplace H=Other (specify):	A B C D E F G H
Q3. Only if the response to Q2 is "school": Are there prevention or intervention programs within your school? <i>(read list and mark affirmative answers)</i>	A=Information (brochures, posters, etc.) B=Discussion/education (lessons, workshop, etc.) C=Availability of condoms D=Voluntary testing E=Counseling F=Care and support services G=Antiretroviral treatment H=Other (specify):	A B C D E F G H
Q4. Only if the response to Q2 is "workplace": Are there prevention or intervention programs within your workplace? <i>(read list and mark affirmative answers)</i>	A=Information (brochures, posters, etc.) B=Discussion/education (lessons, workshop, etc.) C=Availability of condoms D=Voluntary testing E=Counseling F=Care and support services G=Antiretroviral treatment H=Other (specify):	A B C D E F G H
Q5. Is there anything a person can do to avoid getting HIV, the virus that causes AIDS?	1=Yes 2=No 3=Don't know	1 2 3
Q6. Do you think a person can get infected with AIDS through supernatural means?	1=Yes 2=No 3=Don't know	1 2 3
Q7. Only if interviewer deems that the age of the child is appropriate: Can people protect themselves from the AIDS virus by using a condom?	1=Yes 2=No 3=Don't know	1 2 3
Q8. Can a person get AIDS from mosquito bites?	1=Yes 2=No 3=Don't know	1 2 3
Q9. Is it possible for a healthy-looking person to be HIV-positive?	1=Yes 2=No 3=Don't know	1 2 3
Q10. Can HIV be transmitted from mother to child?	1=Yes 2=No 3=Don't know	1 2 3
Q11. Do you know of a place where you can go to get such a test to see if you have AIDS?	1=Yes 2=No	1 2
Q12. I do not want to know the results, but have you ever been tested to see if you have HIV?	1=Yes 2=No	1 2

¹³ Based on ILO/IPEC (2003). HIV/AIDS and child labour in Zambia: A rapid assessment. Paper No. 5.

Q13. I do not want to know the results of the test, but have you been told the results?	1=Yes 2=No	1 2
Q14. Does your work have any risks to you getting HIV? What are some of the risks?	1=Yes (specify): 2=None	1 2

We have now come to the end of the interview, do you want to ask me any questions? I will be happy to answer any question you may want to ask me.

Note question asked: _____

Thank you very much for your answers. We will analyze your answers along with the answers from the other children we are talking to and put the results in a report. Thank you again.

Tulane University

**COTE D'IVOIRE CHILD LABOR SURVEY
Infrastructure Checklist¹**

November 8, 2007

1. REGION	/ / /	4. CENSUS DISTRICT.....	/ / / / /
2. DEPARTMENT.....	/ / /	5. VILLAGE/TOWN.....	/ / /
3. SOUS-PREFECTURE.....	/ / /		
6. NAME OF VILLAGE/TOWN/SETTLEMENT.....			
7. NAME OF INTERVIEWER			
8. NAME OF SUPERVISOR			
9. DATE Day / / / Month / / / Year / / / / /			

TO BE FILLED OUT FOR EACH TOWN, VILLAGE AND SETTLEMENT IN THE SELECTED CENSUS DISTRICTS.

A1. Village/Town/Settlement Number		/ / /
A2. Size of Village/Town/Settlement	Estimate of number of households Estimate of number of people	/ / / / / / / / / / / / / /
A3. Types of housing <i>(Circle all that apply. Underline the most common types of housing.)</i>	A=Modern houses B=Simple houses C=Compound houses (rooms) D=Huts/several small buildings (same compound) E=Living quarters attached to office/shop/work place F=Improvised home (kiosk, container, tent) G=Other (specify):	A B C D E F G
A4. Types of roads <i>(Circle all that apply. Underline the most common types of roads.)</i>	A=Hard surfaced (asphalt, concrete) B=Improved (suitable for high speeds in certain sections, drivable in all seasons) C=Partially improved (may be impracticable in bad weather) D=Earth roads (drivable at slow speeds, impracticable in bad weather) E=Tracks (not suitable for most vehicles)	A B C D E
A5. Sources of water <i>(Circle all that apply. Underline the most common sources of water.)</i>	A=Pipe-borne inside house B=Pipe-borne outside house C=River/stream D=Bore-hole/tubewell E=Well F=Dug out/pond/lake/dam G=Rain water H=Other (specify):	A B C D E F G H
A6. Sources of cooking fuel <i>(Circle all that apply. Underline the most common sources of cooking fuel.)</i>	A=Wood B=Charcoal C=Coconut husk D=Kerosene E=Gas F=Millet straw G=Other (specify):	A B C D E F G
A7. Primary source of lighting <i>(Circle all that apply. Underline the most common sources of lighting.)</i>	A=Candles B=Kerosene lantern C=Electricity D=Gas lamp E=Solar energy F=No light G=Other (specify):	A B C D E F G

¹ Prepared by Elke de Buhr and William Bertrand, Payson Center for International Development, Tulane University based on previous instruments and with input from partners.

A8. Number of primary schools within walking distance	Number of schools	/ / /
A9. Closest primary school Address:	1=less than 1 km 2=1 to 2 km 3=2 to 5 km 4=5 to 20 km 5=more than 20 km ----- School in selected census district? 1=Yes 2=No	1 2 3 4 5 ----- 1 2
A10. Number of secondary schools within walking distance	Number of schools	/ / /
A11. Closest secondary school Address:	1=less than 1 km 2=1 to 2 km 3=2 to 5 km 4=5 to 20 km 5=more than 20 km ----- School in selected census district? 1=Yes 2=No	1 2 3 4 5 ----- 1 2
A12. Closest health center Address:	1=less than 1 km 2=1 to 2 km 3=2 to 5 km 4=5 to 20 km 5=more than 20 km ----- Health center in selected census district? 1=Yes 2=No	1 2 3 4 5 ----- 1 2
A13. Closest hospital Address:	1=less than 2 km 2=2 to 5 km 3=5 to 20 km 4=20 to 50 km 5=more than 50 km ----- Hospital in selected census district? 1=Yes 2=No	1 2 3 4 5 ----- 1 2
A14. Access to communication <i>(Circle all that are available in town/village/settlement.)</i>	A=Complete cell phone coverage B=Partial cell phone coverage C=Communication center D=Access to a working phone E=Internet café F=Other (specify): G=None	A B C D E F G
A15. Access to transportation <i>(Circle all that are available in town/village/settlement.)</i>	A=Bus B=Mini bus/Tro-tro C=Taxi D=Other (specify): E=None	A B C D E
A16. Closest police station Address:	1=less than 2 km 2=2 to 5 km 3=5 to 20 km 4=20 to 50 km 5=more than 50 km ----- Police station in selected census district? 1=Yes 2=No	1 2 3 4 5 ----- 1 2

Tulane University

**COTE D'IVOIRE CHILD LABOUR SURVEY
Teacher Interview¹**

November 8, 2007

1. REGION/ / /	4. CENSUS DISTRICT...../ / / / /
2. DEPARTMENT... .. / / /	5. VILLAGE/TOWN...../ / /
3. SOUS-PREFECTURE...../ / /	
SCHOOL	
6b. SCHOOL NUMBER...../ / / / /	
7b. NAME OF SCHOOL	
8b. PHONE NUMBER	
9. NAME OF INTERVIEWER	
10. NAME OF SUPERVISOR	
11. INTERVIEW LANGUAGE	
12. DATE OF INTERVIEW Day / / / Month / / / Year / / / / /	
13. START OF INTERVIEW Hour / / / Minute / / /	
14. END OF INTERVIEW Hour / / / Minute / / /	

BEFORE THE START OF THE INTERVIEW, FOLLOW THE INFORMED CONSENT PROCEDURES.

Title: Child Labor in the Cocoa Sector
Performance Sites: Cote d'Ivoire and Ghana
Investigators: William E. Bertrand and Elke de Buhr
Sponsor: US Department of Labor

Purpose:

The purpose of this study is to learn more about the work and living conditions of children and their families in the cocoa-growing regions. We hope this will help create projects in support of children in your country and in other West African countries. More than 1,000 individuals will be interviewed as part of this research in your country. We will interview both children and the adults that provide care for them. We expect that the interview with you will take about 30 minutes, and that each interview with a child will take between 45 and 60 minutes.

Procedures:

You will be interviewed first. Afterwards, we would like to interview some or all of the children you are taking care of. We would like to interview children between 5 and 17 years of age. The interviews will cover topics such as living conditions, characteristics of work activities and access to education. We will interview one person at a time. No third person will be allowed to listen when a child is being interviewed but a second person may be in the same room with the child who is not listening but can witness the interview. This person can be any adult or child that the child would like to attend except a parent/guardian.

Potential Risks:

The interviews will take some time and some children may get tired, bored or distracted. Some may also get upset when difficult questions are asked. We will take maximum care to ensure that if this happens that the needs of the child will take precedence over this interview. The children will be allowed to take breaks at any time during the interview. You and the children may also decide to interrupt or discontinue an interview at any point in time.

¹ Prepared by William Bertrand and Elke de Buhr based on ILO National Child Labor Questionnaires and other instruments. Valuable input was provided by team members, partners and other stakeholders.

Potential Benefits:

This study will generate knowledge about working and living conditions in rural communities in your country. It will provide systematic information on how children live and the details on the work they perform. This will help develop programs in support of children and their families in your country and find solutions to common problems.

Voluntary Participation:

Participation in the research is voluntary. You may choose to participate or not. If you choose to participate but later change your mind, you may withdraw from the study at any time. Similarly, the children you are taking care of may refuse to participate or discontinue an interview at any point in time. Refusal to participate or withdrawal from the study will not result in penalty or any loss of benefits to which you or the children you are taking care of are otherwise entitled.

Confidentiality:

The interviews will be kept confidential. Your name of identity will be shared with absolutely no one, even though the information you offer will be shared with the other researchers in this study when we are analyzing the answers. It is important for you to understand that nobody will know what you and the children you are taking care of have answered. No adult or child will be identified in any way when study results are published.

Costs/Payment:

You will not be paid for participating in this research.

Study Outcome:

The findings of the research will be made available to you and your community. If you want you will be able to access the report on the Internet (<http://childlabor-payson.org/>). You can access the Internet at an Internet café in any of the bigger cities in your country. You may also call us for information about the findings of the study.

Questions:

If you have questions about the research, you may call Dr. Elke de Buhr at +504-314-2716 in New Orleans, USA. If you have any questions about your rights as a research subject, please call the IRB Compliance Officer at +504-988-3229 at Tulane University in New Orleans, USA. *[Local numbers will be added.]*

I have read this consent form and volunteer to participate in this research.

Subject Date

Parent/Legally Authorized Representative (if applicable) Date

Person Obtaining Consent Date

Thank you for agree to participate in this interview. If at any time you do not understand a word we use or a question we are asking, please let me know. Remember you can stop this interview at any time. No one will know what you tell us.

A. Respondent Characteristics

A1. School Number		/ / /
A2. Name of respondent	
A3. Age of respondent	Age in years (if unknown, estimate)	/ / / /
A4. Gender of respondent	1=Male 2=Female	1 2

A5. What is your function at the school?	1=Head master/head teacher 2=Teacher 3=Other (specify):	1 2 3
A6. How long have you been at this school?	Number of years	/_/_/_/
A7. What is the highest level of education you have received?	1=None 2=Elementary 3=Secondary 4=Vocational 5=College/University 6=Other (specify):	1 2 3 4 5 6

B. School Characteristics

School Number (from A1)		/_/_/_/
B1. When was this school established?	Year 9998=Don't know	/_/_/_/_/_/
B2. What levels of education are taught at this school? <i>(more than one answer allowed)</i>	A=Elementary B=Secondary C=Vocational D=Other (specify):	A B C D
B3. Is this school a public, private or faith-based school? <i>(more than one answer allowed)</i>	A=Public B=Private C=Faith-based (specify): D=Other (specify):	A B C D
B4. How many teachers are in this school?	Number of teachers	/_/_/_/
B5. Does this school charge fees from the students? What kind of fees? <i>(more than one answer allowed)</i>	A=Tuition fees B=Registration fees C=Facility user fees D=Other fees (specify): E=None (→ go to B7)	A B C D E
B6. How much does this school charge to each student for an academic year?	Amount in CFA (per year)	/_/_/_/_/_/_/_/_/_/
B7. How would you describe the school facility/building(s)?	1=Concrete building(s) 2=Pavilion(s) 3=Mud building(s) 4=Open space, no building 5=Other (specify):	1 2 3 4 5
B8. How many classrooms does the school have?	Number of classrooms	/_/_/_/
B9. What type of toilet is available to the school?	1=Inside building 2=Outside building 3=None (→ go to B12)	1 2 3
B10. Are the toilets in the school equipped with running water?	1=Yes 2=No	1 2
B11. Do girls and boys have separate toilets in this school?	1=Yes 2=No 3=There are only boys at this school 4=There are only girls at this school	1 2 3 4

B12. What is the main source of drinking water in the school? <i>(more than one answer allowed)</i>	A=Pipe-borne inside building B=Pipe-borne outside building C=River/stream D=Bore-hole/tubewell E=Well F=Dug out/pond/lake/dam G=Rain water H=Other (specify):	A B C D E F G H
B13. What is the main source of lighting in the school? <i>(more than one answer allowed)</i>	A=Candles B=Kerosene lantern C=Electricity D=Gas lamp E=Solar energy F=No light G=Other (specify):	A B C D E F G
B14. What type of kitchen is available at this school?	1=Inside building 2=Outside building 3=None (→ go to B14)	1 2 3
B15. What is the main source of cooking fuel for this kitchen? <i>(more than one answer allowed)</i>	A=Wood B=Charcoal C=Coconut husk D=Kerosene E=Gas F=Millet straw G=Other (specify):	A B C D E F G
B16. Are meals provided to the students?	1=Yes 2=No (→ go to B20)	1 2
B17. How many meals are provided per day?	1=1 meal 2=2 meals 3=3 meals 4=Other (specify):	1 2 3 4
B18. Are the students charged for the meals? How much?	1=Yes 2=Included in school fees 3=Meals free (→ go to B20)	1 2 3
B19. How much are the students charged for the meals per year?	Amount in CFA (per year)	/ _ / _ / _ / _ / _ / _ / _ /
B20. How many elementary schools are there in this area within walking distance?	Number of elementary schools	/ _ / _ /
B21. What do you estimate is the total number of students in this area that are attending elementary schools?	Number of students (elementary) 999998=Don't know	/ _ / _ / _ / _ / _ / _ /
B22. How many secondary schools are there in this area within walking distance?	Number of secondary schools	/ _ / _ /
B23. What do you estimate is the total number of students in this area that are attending secondary schools?	Number of students (secondary) 999998=Don't know	/ _ / _ / _ / _ / _ / _ /

C. Student Population Characteristics

School Number (from A1)		/ _ / _ /
C1. How many students (boys and girls) are attending this school?	Number of girls Number of boys 998=Don't know	/ _ / _ / / _ / _ /
C2. What is the average number of students for each class at this school?	Number of students 98=Don't know	/ _ / _ /
C3. What number of students has repeated a grade at this school at the end of the last school year?	Number of students 98=Don't know	/ _ / _ / _ /
C4. In your area, what are the most important reasons for children to miss classes?	Specify:	
C5. In your area, what are the most important reasons for children to drop out of school?	Specify:	
C6. In your area, what are the most important reasons for children to never attend school?	Specify:	
C7. Are any of these major reasons that keep children from attending school in your area? <i>(read list and mark affirmative answers)</i>	A=Illness and disability B=School too far C=Family cannot afford schooling D=Family does not allow schooling E=Children poor in studies/not interested in school F=Education not considered valuable G=School not safe H=Children have to learn a job I=Children work for pay or in a family business or on a farm J=Children help at home with household chores K=Bad weather conditions L=Family emergencies M=Children have to travel N=Other (specify): O=None of these	A B C D E F G H I J K L M N O
C8. What percentage of your students do you estimate perform work in agriculture in addition to attending school?	Estimated percentage 98=Don't know	/ _ / _ /
C9. What percentage of your students do you estimate perform work on a cocoa farm in addition to attending school?	Estimated percentage 98=Don't know	/ _ / _ /
C10. What percentage of your students do you estimate perform economic activities other than agriculture in addition to attending school?	Estimated percentage 98=Don't know	/ _ / _ /
C11. What percentage of your students do you estimate perform household work in addition to attending school?	Estimated percentage 98=Don't know	/ _ / _ /

<p>C12. Are any of the following activities sometimes performed by students attending this school?</p> <p><i>(read list and mark affirmative answers)</i></p>	<p>A=Run or do any kind of business, big or small, for himself/herself or with one or more partners B=Do any work for a wage, salary, commission or any payment in kind (excluding domestic work) C=Do any work as a domestic worker for a wage, salary or any payment in kind D=Help unpaid in a household business of any kind E=Do any construction or major repair work on his/her own home, plot, or business, or those of the household F=Catch any fish, prawns, shells, wild animals or other food for sale or household food G=Fetch water or collect firewood for household use H=Produce any other good for this household use I=Other (specify): J=None</p>	<p>A B C D E F G H I J</p>
<p>C13. If students are engaged in economic activities in addition to attending school, in your experience does this affect their attendance or studies?</p>	<p>1=Yes 2=No (→ go to C15) 3=Don't know (→ go to C15)</p>	<p>1 2 3</p>
<p>C14. How is education affected by the economic activities that students perform?</p>	<p>Specify:</p>	
<p>C15. Is education affected by the economic activities that students perform in any of the following ways?</p> <p><i>(read list and mark affirmative answers)</i></p>	<p>A=Injuries, illnesses or poor health B=Missed school days C=Missed lessons D=Missed tests E=Could not do homework F=Could not concentrate G=Other (specify): H=None</p>	<p>A B C D E F G H</p>

D. Curriculum and School Garden

<p>School Number (from A1)</p>		<p>/ / /</p>
<p>D1. Does this school teach agricultural skills?</p>	<p>1=Yes 2=No (→ go to D3)</p>	<p>1 2</p>
<p>D2. If this school teaches agricultural skills, what is being taught?</p> <p><i>(more than one answer allowed)</i></p>	<p>A=Plant science B=Crop science C=Soil science D=Other (specify):</p>	<p>A B C D</p>
<p>D3. Does this school have a school garden or farm maintained by the students?</p>	<p>1=Yes 2=No (→ go to D5)</p>	<p>1 2</p>
<p>D4. What is the purpose of this school garden or farm?</p> <p><i>(more than one answer allowed)</i></p>	<p>A=Training/education B=Producing food crops C=Generating income D=Other (specify):</p>	<p>A B C D</p>
<p>D5. Do you yourself own/rent a farm or field in this area?</p>	<p>1=Yes 2=No (→ go to D8)</p>	<p>1 2</p>
<p>D6. Do you yourself own/rent a cocoa farm?</p>	<p>1=Yes 2=No</p>	<p>1 2</p>

D7. Have any of the students in this school helped you on the farm? What have the students been doing?	1=Yes (specify): 2=No	1 2
D8. Does this school address issues of child labor?	1=Yes 2=No (→ end of interview)	1 2
D9. What is understood by child labor in this school?	Specify:	
D10. How is child labor addressed at this school? <i>(more than one answer allowed)</i>	A=As part of the curriculum (specify): B=During meetings of parent-teacher association (specify): C=Other (specify):	A B C
D11. What are some of the student's reactions to learning about child labor?	Specify:	

We have now come to the end of the interview. Is there anything else you like to add or recommend or ask?

Specify: _____

THANK YOU VERY MUCH!

Tulane University

**COTE D'IVOIRE CHILD LABOR SURVEY
Health Center Interview¹**

November 8, 2007

01. REGION/___/___/	04. CENSUS DISTRICT...../___/___/___/
02. DEPARTMENT...../___/___/	05. VILLAGE/TOWN...../___/___/
03. SOUS-PREFECTURE...../___/___/	
HEALTH CENTER	
06. HEALTH CENTER NUMBER...../___/___/___/	
07. ADDRESS.....	
08. PHONE NUMBER	
09. NAME OF INTERVIEWER	
10. NAME OF SUPERVISOR	
11. INTERVIEW LANGUAGE	
12. DATE OF INTERVIEW Day /___/___/ Month /___/___/ Year /___/___/___/	
13. START OF INTERVIEW Hour /___/___/ Minute /___/___/	
14. END OF INTERVIEW Hour /___/___/ Minute /___/___/	

BEFORE THE START OF THE INTERVIEW, FOLLOW THE INFORMED CONSENT PROCEDURES.

A. Respondent Characteristics

A1. Respondent Number		/ / /
A2. Name of respondent	Name:	
A3. Age of respondent	Age in years (<i>if unknown, estimate</i>)	/ / / /
A4. Gender of respondent	1=Male 2=Female	1 2
A5. What is the highest level of education you have received?	1=None 2=Elementary 3=Secondary 4=Vocational 5=College/University 6=Other (specify):	1 2 3 4 5 6
A6. What medical training have you received? <i>(more than one answer allowed)</i>	A=None B=Medical assistant C=Nurse D=Pharmacist E=Dentist F=Physician G=Other (specify):	A B C D E F G
A7. What is your current position at the health center?	1=Administrator 2=Medical assistant 3=Nurse 4=Pharmacist 5=Dentist 6=Physician 7=Other (specify):	1 2 3 4 5 6 7

¹Prepared by William Bertrand and Elke de Buhr, Payson Center for International Development, Tulane University. Valuable input was provided by team members and partners.

A8. How long have you been working at this health center?	Number of years	/ _ / _ /
--	-----------------	-----------

B. Health Center Characteristics

Respondent Number (from A1)		/ _ / _ /
B1. When was this health center established?	Year 9998=Don't know	/ _ / _ / _ /
B2. How is this health center financed? <i>(more than one answer allowed)</i>	A=Public B=Private C=NGO (specify): D= International organization (specify): E=Church (specify): F=Other (specify):	A B C D E F
B3. How many staff members does this health center have? <i>(read list and specify numbers)</i>	Number of medical assistants Number of nurses Number of pharmacists Number of dentists Number of physicians Other (specify):	/ _ / _ / / _ / _ /
B4. How would you describe the health center facility/building?	1=Concrete building(s) 2=Pavilion(s) 3=Mud building(s) 4=Open space, no building 5=Other (specify):	1 2 3 4 5
B5. How many rooms does the health center have?	Number of rooms	/ _ / _ /
B6. How many beds does the health center have?	Number of beds	/ _ / _ / _ /
B7. What is the main source of drinking water at the health center? <i>(more than one answer allowed)</i>	A=Pipe-borne inside building B=Pipe-borne outside building C=River/stream D=Bore-hole/tubewell E=Well F=Dug out/pond/lake/dam G=Rain water H=Other (specify):	A B C D E F G H
B8. What is the main source of lighting at the health center? <i>(more than one answer allowed)</i>	A=Candles B=Kerosene lantern C=Electricity D=Gas lamp E=Solar energy F=No light G=Other (specify):	A B C D E F G
B9. What type of kitchen is available at this health center?	1=Inside building 2=Outside building 3=None (→ go to B11)	1 2 3
B10. What is the main source of cooking fuel for this kitchen? <i>(more than one answer allowed)</i>	A=Wood B=Charcoal C=Coconut husk D=Kerosene E=Gas F=Millet straw G=Other (specify):	A B C D E F G

B11. Are meals provided to patients that stay at the health center?	1=Yes 2=No (→ go to B15)	1 2
B12. How many meals are provided per day?	1=1 meal 2=2 meals 3=3 meals 4=Other (specify):	1 2 3 4
B13. Are the patients charged for the meals?	1=Yes 2=Included in fees 3=Meals free (→ go to B15)	1 2 3
B14. How much are the patients charged for the meals per day?	Amount in CFA (per day)	/ _ / _ / _ / _ /
B15. What type of toilet is available to the health center?	1=Inside building 2=Outside building 3=None (→ go to B17)	1 2 3
B16. Are the toilets at the health center equipped with running water?	1=Yes 2=No	1 2
B17. What technology and equipment does the health center have? <i>(read list and specify numbers)</i>	Number of stethoscopes Number of sphygmomanometers (blood pressure) Number of scales Number of thermometers Number of telephones Number of computers Number of printers Number of cars/trucks Other (specify):	/ _ / _ / / _ / _ /
B18. Does the health center carry out any basic laboratory tests or medical trials?	Specify:	
B19. On average, how many patients does a physician see per day at this health center?	Number of patients 998=Don't know 999=No physician	/ _ / _ / _ /
B20. On average, how many patients does a nurse see per day at this health center?	Number of patients 998=Don't know	/ _ / _ / _ /
B21. Where is the hospital closest to this health center located?	Name of town:	
B22. How far from this health center is the next closest hospital?	Distance in km 998=Don't know	/ _ / _ / _ /
B23. What do you do if a patient requires hospital care?	Specify:	

C. Patient Population Characteristics

Respondent Number (from A1)		/ / /
C1. On average, how many patients are visiting this health center per day?	Number of patients	/ / / / /
	9998=Don't know	
C2. On average, how many of these patients are children under 5?	Number of patients	/ / / / /
	9998=Don't know	
C3. On average, how many of these patients are children between 5 and 17?	Number of patients	/ / / / /
	9998=Don't know	
C4. How many patients have visited this health center in the last calendar year?	Number of patients	/ / / / / / / / /
	999998=Don't know	
C5. How many children under 5 years have visited this health center in the last calendar year?	Number of patients	/ / / / / / / / /
	999998=Don't know	
C6. How many children between 5 and 17 years have visited this health center in the last calendar year?	Number of patients	/ / / / / / / / /
	999998=Don't know	

D. Common Health Problems, Injuries and Methods of Treatment

D1. How often do you experience the following health problems in patients under 5 years at this health center?

	Health problem	Experienced in patients <u>under 5 years</u> (circle one)
D1a	Diarrhea	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D1b	Vomiting	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D1c	Fever	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D1d	Infections of respiratory tracts	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D1e	Malaria	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D1f	Typhoid fever	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D1g	Anemia	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D1h	Cholera	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D1i	Eye problems	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D1j	Stomach problems	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D1k	Breathing problems	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D1l	Extreme fatigue	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D1m	Guinea worm	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D1n	Other (specify):	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)

D2. How often do you experience the following health problems in patients between 5 and 11 years at this health center?

	Health problem	Experienced in patients <u>between 5 and 11 years</u> (circle one)
D2a	Diarrhea	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D2b	Vomiting	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D2c	Fever	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D2d	Infections of respiratory tracts	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D2e	Malaria	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D2f	Typhoid fever	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D2g	Anemia	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D2h	Cholera	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D2i	Eye problems	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D2j	Stomach problems	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D2k	Breathing problems	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D2l	Extreme fatigue	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D2m	Guinea worm	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D2n	Other (specify):	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)

D3. How often do you experience the following health problems in patients between 12 and 17 years at this health center?

	Health problem	Experienced in patients <u>between 12 and 17 years</u> (circle one)
D3a	Diarrhea	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D3b	Vomiting	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D3c	Fever	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D3d	Infections of respiratory tracts	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D3e	Malaria	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D3f	Typhoid fever	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D3g	Anemia	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D3h	Cholera	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D3i	Eye problems	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D3j	Stomach problems	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D3k	Breathing problems	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D3l	Extreme fatigue	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D3m	Guinea worm	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D3n	Other (specify):	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)

D4. How often do you experience the following injuries in patients under 5 years at this health center?

	Injury type	Experienced in patients <u>under 5 years</u> (circle one)
D4a	Wounds/cuts	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D4b	Broken bones	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D4c	Snake bites	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D4d	Insect bites (specify):	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D4e	Back pains	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D4f	Muscle pains	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D4g	Other pains (specify):	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D4h	Burns (specify):	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D4i	Skin itchiness or scratches	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D4j	Other (specify):	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)

D5. How often do you experience the following injuries in patients between 5 and 11 years at this health center?

	Injury type	Experienced in patients <u>between 5 and 11 years</u> (circle one)
D5a	Wounds/cuts	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D5b	Broken bones	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D5c	Snake bites	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D5d	Insect bites (specify):	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D5e	Back pains	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D5f	Muscle pains	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D5g	Other pains (specify):	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D5h	Burns (specify):	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D5i	Skin itchiness or scratches	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D5j	Other (specify):	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)

D6. How often do you experience the following injuries in patients between 12 and 17 years at this health center?

	Injury type	Experienced in patients <u>between 12 and 17 years</u> (circle one)
D6a	Wounds/cuts	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D6b	Broken bones	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D6c	Snake bites	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D6d	Insect bites (specify):	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D6e	Back pains	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D6f	Muscle pains	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D6g	Other pains (specify):	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)

D6h	Burns (specify):	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D6i	Skin itchiness or scratches	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D6j	Other (specify):	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)

D7. How often do children between 5 and 17 years get injured in this community as part of any of the following activities?

	Activity type	Experienced in children <u>between 5 and 17 years</u> (circle one)
D7a	Agriculture (specify):	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D7b	Economic activity other than agriculture (specify):	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D7c	Household work (specify):	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D7d	School (specify):	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D7e	Play (specify):	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D7f	Transport/traffic (specify):	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D7g	Other (specify):	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)

D8. If children are ill or injured, how often are the following methods of treatment used by people in this community?

	Treatment type	Used by people in this community (circle one)
D8a	First aid	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D8b	Self medication	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D8c	Nurse (health center-based)	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D8d	Doctor/nurse (hospital-based)	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D8e	Chemist (drug store-based)	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D8f	Herbal	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D8g	Spiritualist (religious)	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D8h	Fetish (traditional)	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D8i	Other (specify):	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D8j	Child receives no treatment	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)

D9. If children are ill or injured in this community, how often is their treatment financed in any of the following ways?

	Method of financing	Used by people in this community (circle one)
D9a	Parents/guardians	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D9b	Other relative	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D9c	Child pays for him/herself	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D9d	Employer	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D9e	Family health insurance	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)

D9f	Treatment is provided for free by health center	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D9g	Other (specify):	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D9h	Nobody pays for the child, child does not receive treatment	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)

E. Health Problems and Injuries in Agriculture

Respondent Number (from A1)		/ / /
E1. What are the most common health problems experienced by children working in agriculture in your community?	Specify:	
E2. What are the most common injuries experienced by children working in agriculture in your community?	Specify:	

E3. How often do you experience the following health problems in children who are working in agriculture at this health center?

	Health problem	Experienced in children <u>working in agriculture</u> (circle one)
E3a	Diarrhea	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E3b	Vomiting	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E3c	Fever	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E3d	Infections of respiratory tracts	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E3e	Malaria	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E3f	Typhoid fever	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E3g	Anemia	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E3h	Cholera	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E3i	Eye problems	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E3j	Stomach problems	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E3k	Breathing problems	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E3l	Extreme fatigue	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E3m	Guinea worm	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E3n	Other (specify):	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)

E4. How often do you experience the following injuries in children who are working in agriculture at this health center?

	Injury type	Experienced in children <u>working in agriculture</u> (circle one)
E4a	Wounds/cuts	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E4b	Broken bones	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E4c	Snake bites	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E4d	Insect bites (specify):	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E4e	Back pains	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E4f	Muscle pains	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E4g	Other pains (specify):	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E4h	Burns (specify):	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E4i	Skin itchiness or scratches	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E4j	Other (specify):	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)

E5. How often do children working in agriculture suffer health impacts from any of the following exposures?

	Exposure type	Experienced in children <u>working in agriculture</u> (circle one)
E5a	Injury from carrying heavy loads	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E5b	Injury from dust or dangerous fumes	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E5c	Injury from fire, gas or flames	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E5d	Injury from very hot weather	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E5e	Injury from long hours in the direct sun	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E5f	Injury from work at dangerous heights (high up on a trees, etc.)	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E5g	Injury from work in water, like, pond or river	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E5h	Injury/poisoning from spraying of pesticides, insecticides, herbicides	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E5i	Injuries from using a machete or another tool	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E5j	Injury from using machinery such as a sprayer	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E5k	Other (specify):	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)

E6. Do you experience more injuries in children working in agriculture during the cocoa harvest season than at other times of the year?	1=Yes (specify):	1
	
	
	2=No	2
	3=Don't know	3

E7. What is being done in your community to reduce injuries in children working in agriculture?	Specify:	
E8. What is your advice to (further) reduce injuries in children working in agriculture?	Specify:	

F. Vulnerable Children

F1. I will read a list of different groups of children that may be vulnerable. How often do you see children that belong to any of these groups as patients at this health center?

	Group of children	Among patients at health center (circle one)
F1a	Children that live without their biological father AND mother	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
F1b	Children that are separated from ANY member of their family	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
F1c	Children working in agriculture that stay with an employer that is not a family member	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
F1d	Children working in a sector other than agriculture that stay with an employer that is not a family member	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
F1e	Children working as house help that stay with an employer that is not a family member	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
F1f	Children that have been neglected	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
F1g	Children that have been psychologically abused	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
F1h	Children that have been physically abused	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
F1i	Children that have been sexually abused	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
F1j	Children that are victims to trafficking	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
F1k	Other (specify):	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)

<p>F2. Even if you rarely or never see these groups of children at the health center, are you aware of any children in the following conditions that live in your community? How many cases are you aware of?</p> <p>Please provide us with your best estimate.</p> <p><i>(read list and estimate numbers)</i></p>	Number of children that live without their biological father AND mother	/_/_/_/_/_/
	Number of children that are separated from ANY member of their family	/_/_/_/_/_/
	Number of children working in agriculture that stay with an employer that is not a family member	/_/_/_/_/_/
	Number of children working in a sector other than agriculture that stay with an employer that is not a family member	/_/_/_/_/_/
	Number of children working as house help that stay with an employer that is not a family member	/_/_/_/_/_/
	Number of children that have been neglected	/_/_/_/_/_/
	Number of children that have been psychologically abused	/_/_/_/_/_/
	Number of children that have been physically abused	/_/_/_/_/_/
	Number of children that have been sexually abused	/_/_/_/_/_/
	Number of children that are victims to trafficking	/_/_/_/_/_/
Other (specify):	/_/_/_/_/_/	

We have now come to the end of the interview. Is there anything else you like to add or recommend or ask?

Specify: _____

THANK YOU VERY MUCH!

Tulane University
COTE D'IVOIRE CHILD LABOR SURVEY
Project Interview¹

November 8, 2007

1. REGION/ / /	4. CENSUS DISTRICT...../ / / / /
2. DEPARTMENT...../ / /	5. VILLAGE/TOWN...../ / /
3. SOUS-PREFECTURE...../ / /	
PROJECT	
6b. PROJECT NUMBER...../ / / / /	
7b. NAME OF PROJECT	
8b. PHONE NUMBER	
9. NAME OF INTERVIEWER	
10. NAME OF SUPERVISOR	
11. INTERVIEW LANGUAGE	
12. DATE OF INTERVIEW Day / / / Month / / / Year / / / / /	
13. START OF INTERVIEW Hour / / / Minute / / /	
14. END OF INTERVIEW Hour / / / Minute / / /	

BEFORE THE START OF THE INTERVIEW, FOLLOW THE INFORMED CONSENT PROCEDURES FOR INTERVIEWING AND ADULT.

A. Respondent Characteristics

A1. Respondent Number		/ / /
A2. Name of respondent	Name:	
A3. Age of respondent	Age in years (<i>if unknown, estimate</i>)	/ / / /
A4. Gender of respondent	1=Male 2=Female	1 2
A5. What is your position on the project?	1=Director 2=Other (specify):	1 2
A6. How long have you been working on the project?	Number of years	/ / /
A7. What is the highest level of education you have received?	1=None 2=Elementary 3=Secondary 4=Vocational 5=College/university 6=Other (specify):	1 2 3 4 5 6
A8. What is your previous background and experience that prepared you for your position on the project?	Specify:	

¹Prepared by William Bertrand and Elke de Buhr, Payson Center for International Development, Tulane University. Valuable input was provided by team members and partners.

B. Project Characteristics

Respondent Number (from A1)		/ _ / _ /
B1. What is the name of your project?	Specify:	
B2. When did the project start?	Month Year 9998=Don't know	/ _ / _ / / _ / _ / _ /
B3. When will/did the project end?	Month Year 9998=Don't know	/ _ / _ / / _ / _ / _ /
B4. What is the name of the institution that carries/carried out the project?	Specify:	
B5. What is the name of the institution that finances/financed the project?	Specify:	
B6. How many staff members does/did the project have?	Specify:	
B7. What are the project facilities and equipment (buildings, cars, etc.)?	Specify:	
B8. Where is/was the project carried out?	Specify:	
B9. What activities are/were carried out by the project?	Activity 1: Activity 2: Activity 3: Activity 4: Activity 5: Activity 6:	

<p>B10. How many children have benefitted from the different project activities?</p> <p><i>(Provide as much detail as possible. What groups of children have participated, what was done for them, what did they participate in and for how long, or what did they receive?)</i></p>	<p>Activity 1:</p> <p>.....</p> <p>.....</p> <p>Activity 2:</p> <p>.....</p> <p>.....</p> <p>Activity 3:</p> <p>.....</p> <p>.....</p> <p>Activity 4:</p> <p>.....</p> <p>.....</p> <p>Activity 5:</p> <p>.....</p> <p>.....</p> <p>Activity 6:</p> <p>.....</p> <p>.....</p>	
<p>B11. How many adults have benefitted from the different project activities?</p> <p><i>(Provide as much detail as possible. What groups of adults have participated, what was done for them, what did they participate in and for how long, or what did they receive?)</i></p>	<p>Activity 1:</p> <p>.....</p> <p>.....</p> <p>Activity 2:</p> <p>.....</p> <p>.....</p> <p>Activity 3:</p> <p>.....</p> <p>.....</p> <p>Activity 4:</p> <p>.....</p> <p>.....</p> <p>Activity 5:</p> <p>.....</p> <p>.....</p> <p>Activity 6:</p> <p>.....</p> <p>.....</p>	
<p>B12. How is/was the effectiveness of your project measured?</p>	<p>Specify:</p> <p>.....</p> <p>.....</p> <p>.....</p>	
<p>B13. In your opinion, how effective is/was your project?</p>	<p>Specify:</p> <p>.....</p> <p>.....</p> <p>.....</p>	

B14. What are some constraints or problems that you have encountered in implementing the project?	Specify:	
B15. Can you give me an idea of your annual project budget?	Specify:	
B16. Can you tell me, if you have heard about child labor?	1=Yes 2=No (→ Go to B19) 3=Don't know (→ Go to B19)	1 2 3
B17. What is your personal view on child labor?	Specify:	
B18. Are any of the project activities addressing questions of child labor?	Specify:	
B19. Do you have any additional materials or information about the project that you could share with us?	1=Materials provided 2=Materials not available 3= Other (specify):	1 2 3
B20. Do you have any additional contact information from people that could tell us more about the project?	1=Contact information provided 2=Contact information not available 3= Other (specify):	1 2 3

Please provide any additional contact information here:

Name:
Title:
Address:
Telephone:
Email:

Name:
Title:
Address:
Telephone:
Email:

We have now come to the end of the interview. Is there anything else you like to add or recommend or ask?

Specify: _____

THANK YOU VERY MUCH!

Tulane University
GHANA CHILD LABOUR SURVEY
Household Questionnaire¹
November 8, 2007

(Addressed to the most knowledgeable member of the household)

17 JUL 2007

GENERAL INFORMATION

REGION..... DISTRICT.....LOCALITY..... ADDRESS OF HOUSEHOLD..... PHONE NUMBER (-----).....	ENUMERATION AREA CODE..... Region District/Locality EA Number <div style="text-align: center;"> _ _ _ </div>	HOUSE/STRUCTURE NO. <div style="text-align: center;"> _ _ _ </div>	HOUSEHOLD ID NUMBER <div style="text-align: center;"> _ _ _ </div>
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INTERVIEWER VISITS

FINAL VISIT

	1	2	3		
DATE				DATE/MONTH/YEAR	_ - _ - _ _
INTERVIEWER'S NAME				RESULT *	_
				(*) RESULT CODES	
				1. Completed 2. No household members at home or no competent respondent 3. Entire Household absent for extended period of time 4. Postponed	5. Refused 6. Dwelling vacant or address not a dwelling 7. Dwelling destroyed 8. Dwelling not found 9. Other (Specify).....
SUPERVISOR'S NAME				ELIGIBILITY	
				• Number of persons in the household.....	• _
				• Number of children (5-17)	• _
NEXT VISIT				Starting Time: ____:____	Ending Time: ____:____
				If Additional Questionnaires used indicate Number	• _

¹ Prepared by William Bertrand and Elke de Buhr based on ILO National Child Labor Questionnaires.

HOUSEHOLD QUESTIONNAIRE (Part 1)

Person's serial number in household	Can you please provide full names of all persons who are part of this household, beginning with the Head of the Household? <i>(A Household is defined as a person or group of persons who live together in the same house or compound, share the same housekeeping arrangements and are catered for as one unit. Members of a household are not necessarily related - by blood or marriage - and not all those related in the same house or compound are necessarily of the same household)</i>	Which household member provided information the individual? <i>(Write serial number)</i>	What is (NAME)'s relationship to head of the household 1. Household Head 2. Spouse 3. Son/Daughter 4. Brother/Sister 5. Daughter-in-law/son-in-law 6. Grandchild 7. Niece / Nephew 8. Step child 9. Aged parent/parent-in-law 10. Servant (live-in) 11. Other relative 12. Non-relative	What is the sex of each of these individual household members? 1. Male 2. Female	How old was (NAME) at (his/her) last birthday? <i>(In completed years)</i>	Indicate with "1" if person is between 5-17 years old, "0" otherwise	What is (NAME)'s marital status (for persons 12 years or above)? 1. Single or never married 2. Married civil/religious 3. Married but separated 4. Polygamous marriage 5. Living together as unmarried partners 6. Divorced 7. Widowed 8. Does not apply	For all household members		
								Please indicate (NAME)'s serial number. <i>(Write 99 if absent or not applicable)</i>		
								Spouse <i>(if applicable and s/he is among the household members)</i>	Natural Mother <i>(if she is among the household members)</i>	Natural Father <i>(if he is among the household members)</i>
ID	HR1	HR2	HR3	HR4	HR5	HR6	HR7	HR8	HR9	HR10
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HOUSEHOLD QUESTIONNAIRE (Part 2)

Person's serial number in household	Where was (NAME) born?	What is (NAME)'s nationality?	What is (NAME)'s ethnic group?	What is (NAME)'s religion?	Can (NAME) read and write a short, simple statement with understanding in any language?	Is (NAME) attending school or pre-school during the current school year?	What is the highest level of school that (NAME) has attended?	Did (NAME) engage in any work at least one hour during the past week?	Did (NAME) engage in any work in agriculture at least one hour during the past week?	Did (NAME) engage in any work on a cocoa farm at least one hour during the past week?	How many hours did (NAME) engage in work in agriculture during the past week?	How many hours did (NAME) engage in work on a cocoa farm during the past week?	How many hours did (NAME) engage in economic activity other than agriculture during the past week?
	1. Cote d'Ivoire 2. Ghana 3. Benin 4. Burkina-Faso 5. Guinea 6. Liberia 7. Mali 8. Togo 9. Other (specify)	1. Cote d'Ivoire 2. Ghana 3. Benin 4. Burkina-Faso 5. Guinea 6. Liberia 7. Mali 8. Togo 9. Other (specify)	1. Akan 2. Apolo/Abouré 3. Gur 4. Krou 5. Southern Mandé 6. Northern Mandé 7. Other (specify)	1. Catholic 2. Protestant 3. Muslim 4. Charismatic/Pentecostal 5. Traditional 6. Other (specify)	1. Yes 2. No	1. Yes 2. No	1. Pre-school 2. Primary 3. JSS 4. SSS 5. University or higher 6. Non standard curriculum 7. Don't know	1. Yes 2. No <i>(As employee, self employed, employer or unpaid family worker)</i>	1. Yes 2. No <i>(Any work on his/her own or the household's plot, farm, food garden, or help in growing farm produce or in looking after animals for the household)</i>	1. Yes 2. No	<i>(Number of hours)</i>	<i>(Number of hours)</i>	<i>(Number of hours)</i>
ID	HR11	HR12	HR13	HR14	HR15	HR16	HR17	HR18	HR19	HR20	HR21	HR22	HR23
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HOUSEHOLD QUESTIONNAIRE (Part 3)

Person's serial number in household	How many hours did (NAME) engage in household work during the past week? <i>(Number of hours)</i>	Did (NAME) engage in any work at least one hour during the past 12 months? <i>(As employee, self employed, employer or unpaid family worker)</i>	Did (NAME) engage in any work in agriculture at least one hour during the past 12 months? <i>(Any work on his/her own or the household's plot, farm, food garden, or help in growing farm produce or in looking after animals for the household)</i>	Did (NAME) engage in any work on a cocoa farm at least one hour during the past 12 months? 1. Yes 2. No	During how many months in the past year did (NAME) engage in any work in agriculture? <i>(Number of months)</i>	During how many months in the past year did (NAME) engage in any work in a cocoa farm? <i>(Number of months)</i>	Did (NAME) engage in economic activities other than agriculture at least one hour during the past 12 months? 1. Yes 2. No	Did (NAME) engage in household work at least one hour during the past 12 months? 1. Yes 2. No	At what age did (NAME) start working in agriculture for the first time in his/her life? <i>(As employee, own account worker, employer, or unpaid family worker)?</i>	Household member interviewed? 1. Yes 2. No	Reason for not interviewing selected household member <i>(Most knowledgeable adult and ALL children between 5 and 17 should be interviewed)</i> 1. Refused 2. Guardian refused 3. Could not be reached 4. Sick/ill 5. Other
ID	HR24	HR25	HR26	HR27	HR28	HR29	HR30	HR31	HR32	HR33	HR34
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Tulane University
GHANA CHILD LABOUR SURVEY
Caregiver Interview¹

November 8, 2007

01. REGION/___/___/	04. ENUMERATION AREA...../___/___/___/
02. DISTRICT...../___/___/	05. VILLAGE/TOWN...../___/___/
03. COCOA DISTRICT...../___/___/	
HOUSEHOLD	
6a. HOUSE NUMBER...../___/___/___/	
7a. HOUSEHOLD NUMBER...../___/___/	
8a. RESPONDENT NUMBER...../___/___/	
9. NAME OF INTERVIEWER	
10. NAME OF SUPERVISOR	
11. INTERVIEW LANGUAGE	
12. DATE OF INTERVIEW Day /___/___/ Month /___/___/ Year /___/___/___/	
13. START OF INTERVIEW Hour /___/___/ Minute /___/___/	
14. END OF INTERVIEW Hour /___/___/ Minute /___/___/	

BEFORE THE START OF THE INTERVIEW, FOLLOW THE INFORMED CONSENT PROCEDURES.

Title: Child Labor in the Cocoa Sector
Performance Sites: Cote d'Ivoire and Ghana
Investigators: William E. Bertrand and Elke de Buhr
Sponsor: US Department of Labor

Purpose:

The purpose of this study is to learn more about the work and living conditions of children and their families in the cocoa-growing regions. We hope this will help create projects in support of children in your country and in other West African countries. More than 1,000 individuals will be interviewed as part of this research in your country. We will interview both children and the adults that provide care for them. We expect that the interview with you will take about 30 minutes, and that each interview with a child will take between 45 and 60 minutes.

Procedures:

You will be interviewed first. Afterwards, we would like to interview some or all of the children you are taking care of. We would like to interview children between 5 and 17 years of age. The interviews will cover topics such as living conditions, characteristics of work activities and access to education. We will interview one person at a time. No third person will be allowed to listen when a child is being interviewed but a second person may be in the same room with the child who is not listening but can witness the interview. This person can be any adult or child that the child would like to attend except a parent/guardian.

Potential Risks:

The interviews will take some time and some children may get tired, bored or distracted. Some may also get upset when difficult questions are asked. We will take maximum care to ensure that if this happens that the needs of the child will take precedence over this interview. The children will be allowed to take breaks at any time during the interview. You and the children may also decide to interrupt or discontinue an interview at any point in time.

¹ Prepared by William Bertrand and Elke de Buhr based on ILO National Child Labor Questionnaires and other instruments. Valuable input was provided by team members, partners and other stakeholders.

Potential Benefits:

This study will generate knowledge about working and living conditions in rural communities in your country. It will provide systematic information on how children live and the details on the work they perform. This will help develop programs in support of children and their families in your country and find solutions to common problems.

Voluntary Participation:

Participation in the research is voluntary. You may choose to participate or not. If you choose to participate but later change your mind, you may withdraw from the study at any time. Similarly, the children you are taking care of may refuse to participate or discontinue an interview at any point in time. Refusal to participate or withdrawal from the study will not result in penalty or any loss of benefits to which you or the children you are taking care of are otherwise entitled.

Confidentiality:

The interviews will be kept confidential. Your name of identity will be shared with absolutely no one, even though the information you offer will be shared with the other researchers in this study when we are analyzing the answers. It is important for you to understand that nobody will know what you and the children you are taking care of have answered. No adult or child will be identified in any way when study results are published.

Costs/Payment:

You will not be paid for participating in this research.

Study Outcome:

The findings of the research will be made available to you and your community. If you want you will be able to access the report on the Internet (<http://childlabor-payson.org/>). You can access the Internet at an Internet café in any of the bigger cities in your country. You may also call us for information about the findings of the study.

Questions:

If you have questions about the research, you may call Dr. Elke de Buhr at +504-314-2716 in New Orleans, USA. If you have any questions about your rights as a research subject, please call the IRB Compliance Officer at +504-988-3229 at Tulane University in New Orleans, USA. *[Local numbers will be added.]*

I have read this consent form and volunteer to participate in this research.

_____	_____
Subject	Date
_____	_____
Parent/Legally Authorized Representative (if applicable)	Date
_____	_____
Person Obtaining Consent	Date

Thank you for agree to participate in this interview. If at any time you do not understand a word we use or a question we are asking, please let me know. Remember you can stop this interview at any time. No one will know what you tell us.

A. Identification

A1. Respondent Number		/ / /
A2. Name of respondent	Specify:	
A3. Age of respondent	Age in years (if unknown, estimate)	/ / /
A4. Gender of respondent	1=Male 2=Female	1 2
A5. Address	Specify:	
A6. Phone number	Specify:	

B. Household Characteristics

Respondent Number (from A1)		/ _ / _ /
B1. In what type of dwelling does your household live?	1=Modern house 2=Simple house 3=Compound house (rooms) 4=Huts/several small buildings (same compound) 5=Living quarters attached to office/shop/work place 6=Improvised home (kiosk, container, tent) 7=Other (specify):	1 2 3 4 5 6 7
B2. Who owns your dwelling?	1=Owned by a household member (→ go to B4) 2=Co-owner in household (→ go to B4) 3=Provided free by employer/owner (→ go to B4) 4=Subsidized by employer 5=Rented from private owner 6=Other (specify):	1 2 3 4 5 6
B3. If the dwelling is rented, how much do you pay per month?	Amount (in old Cedis) 9999998=Don't know	/ _ / _ / _ / _ / _ / _ /
B4. If this household has separate sleeping rooms, how many sleeping rooms does the household have?	Number of sleeping rooms	/ _ / _ /
B5. If this household has a kitchen, where is the kitchen located?	1=Inside the house, exclusive 2=Inside the house, shared 3=Outside the house, exclusive 4=Outside the house, shared 5=None	1 2 3 4 5
B6. If this household has a bathroom, where is the bathroom located?	1=Inside the house, exclusive 2=Inside the house, shared 3=Outside the house, exclusive 4=Outside the house, shared 5=None	1 2 3 4 5
B7. If this household has a toilet, where is the toilet located?	1=Inside the house, exclusive 2=Inside the house, shared 3=Outside the house, exclusive 4=Outside the house, shared 5=None	1 2 3 4 5
B8. What is the main source of drinking water for the household?	1=Pipe-borne inside house 2=Pipe-borne outside house 3=River/stream 4=Bore-hole/tubewell	1 2 3 4

	5=Well 6=Dug out/pond/lake/dam 7=Rain water 8=Other (specify):	5 6 7 8
B9. What is the main source of cooking fuel?	1=Wood 2=Charcoal 3=Coconut husk 4=Kerosene 5=Gas 6=Millet straw 7=Other (specify):	1 2 3 4 5 6 7
B10. What is the main source of lighting?	1=Candles 2=Kerosene lantern 3=Electricity 4=Gas lamp 5=Solar energy 6=No light 7=Other (specify):	1 2 3 4 5 6 7
B11. Does the household own any of the following household items? <i>(read list and mark affirmative answers)</i>	A=Radio B=TV set C=Computer D=Cell phone E=Bicycle F=Motor bike G=Car H=Refrigerator I=Sewing machine J=None	A B C D E F G H I J
B12. Has the household ever changed the place of residence?	1=Yes 2=No (→ go to B16)	1 2
B13. Where did the household live before moving to the current place of residence?	1=Ghana (specify village/town): 2=Cote d'Ivoire 3=Burkina-Faso 4=Mali 5=Other country (specify):	1 2 3 4 5
B14. When did the household move to the current place of residence?	Year 9998=Don't know	____/____/____
B15. What was the main reason for moving to your current place of residence? <i>(more than one answer allowed)</i>	A=Built a house B=Bought farm/land C=Inherited farm/land D=Entered sharecropping arrangement E=Seasonal work in agriculture F=Looking for job G=Found a job (specify): H=I wanted my children to go to school I=Other (specify): J=Don't know	A B C D E F G H I J
B16. What were the main sources of income for the household during the last <u>12 months</u>?	A=Selling cocoa beans B=Selling other crops/produce (specify): C=Agricultural labor D=Regular wage employment (specify):	A B C D

<i>(more than one answer allowed)</i>	E=Transportation	E
	F=Petty trade	F
	G=Other self-employment (specify):	G
	H=Pensions, dividends, interest, property rent	H
	I=Remittances	I
	J=Other (specify):	J

C. Farm Characteristics

Respondent Number (from A1)		/ / /
C1. What types of agriculture are carried out by the household? <i>(read list and mark affirmative answers)</i>	A=Cocoa farming B=Other tree crop farming C=Food crop farming D=Industrial crop (cotton, jute, tobacco, etc.) E=Livestock/poultry farming F=Other (specify): G=None	A B C D E F G
C2. How many acres of land does the household own?	Area in acres 9998=Don't know	/ / / / /
C3. How many acres of land does the household have under cultivation?	Area in acres 9998=Don't know	/ / / / /
C4. How many acres of land does the household have under cocoa cultivation?	Area in acres 9998=Don't know	/ / / / /
C5. Does the household own all the land that is under cultivation?	1=Yes 2=No 3=Other (specify): 4=Don't know	1 2 3 4
C6. Who is the owner of land not owned by a household member? <i>(more than one answer allowed)</i>	A=All land owned by household member B=Extended family ownership C=Joint household ownership D=Rented/share cropping E=Employer F=Community G=Other (specify): H=Don't know	A B C D E F G H
C6. If a part of the harvest is given to the owner of the land, how much is given?	1=1/2 of harvest 2=1/3 of harvest 3=Other percentage (specify): 4=Other arrangement (specify): 5=None 6=Don't know	1 2 3 4 5 6
C7. What livestock does the household own? <i>(read list and specify number)</i>	Poultry (number) Sheep (number) Goats (number) Pigs (number) Cows (number) Other (specify):	/ / / / / / / / / /
C8. What tools and machinery used in agriculture does the household own? <i>(read list and specify number)</i>	Machetes (number) Bullocks (number) Hoes (number) Wheelbarrows (number) Tractors (number) Animal drawn-carts (number)	/ / / / / / / / / /

	Spraying machines (number) Weighing scales for produce (number) Other (specify):	/ / / / / / / / / / / /
C9. Has the household used fertilizer on the farm in the past 12 months?	1=Yes (specify type): 2=No 3=Don't know	1 2 3
C10. Has the household used pesticides on the farm in the past 12 months?	1=Yes (specify type): 2=No 3=Don't know	1 2 3
C11. Has the household used herbicides on the farm in the past 12 months?	1=Yes (specify type): 2=No 3=Don't know	1 2 3
C12. Has the household used improved seeds or planting material on the farm in the past 12 months?	1=Yes (specify type): 2=No 3=Don't know	1 2 3

D. Household and Farm Worker Characteristics

Respondent Number (from A1)		/ / / /
D1. How many adults (males and females) are living in this household who are not members of the extended family?	Number of males Number of females	/ / / / / / / /
D2. If adults are living in this household who are not members of the extended family, how would you describe them? <i>(read list and mark affirmative answers)</i>	A=Temporary visitors B=Domestic workers C=Farm laborers D=Other (specify):	A B C D
D3. How many children (boys and girls) are living in this household who are not members of the extended family?	Number of boys Number of girls	/ / / / / / / /
D4. If children are living in this household who are not members of the extended family, how would you describe them? <i>(read list and mark affirmative answers)</i>	A=Temporary visitors B=Domestic workers/house help C=Farm laborers D=Children of farm laborers E=Orphans/adopted children F=Other (specify):	A B C D E F
D5. How did these children get to your household? <i>(read list and mark affirmative answers)</i>	A=They came on their own looking for work B=We went looking for additional help and found them C=They were brought here by the person who knew we needed additional help D=They were brought here by a relative of theirs for work purposes E=They came with their parents/relatives who work for us F=Other (specify):	A B C D E F

E. Household and Farm Labor Characteristics

Respondent Number (from A1)		/ / / /
E1. During the last 7 days, did adults (18 years or older) living	A=Land clearing B=Felling and chopping	A B

<p>in this household perform any of the following activities?</p> <p><i>(read list and mark affirmative answers)</i></p>	<p>C=Burning D=Stumping E=Pegs cutting F=Lining and pegging G=Holing/planting of suckers H=Preparation of seedlings I=Holing/planting of seedlings J=Sowing at stake K=Weeding L=Spraying insecticide M=Applying fertilizer N=Applying fungicide/herbicides/other chemicals O=Carrying water for spraying P=Sanitation and pruning Q=Mistletoe control R=Plucking of cocoa pods S=Gathering and heaping cocoa pods T=Cocoa pod breaking and fermentation U=Carting fermented cocoa beans V=Drying cocoa beans W=Carting of dry cocoa beans to shed X=Other (specify): Y=None</p>	<p>C D E F G H I J K L M N O P Q R S T U V W X Y</p>
<p>E2. What other economic activities were performed by adults (18 years or older) living in this household in the past 7 days?</p> <p><i>(read list and mark affirmative answers)</i></p>	<p>A=Run or do any kind of business, big or small, for himself/herself or with one or more partners B=Do any work for a wage, salary, commission or any payment in kind (excluding domestic work) C=Do any work as a domestic worker for a wage, salary or any payment in kind D=Help unpaid in a household business of any kind E=Do any construction or major repair work on his/her own home, plot, or business, or those of the household F=Catch any fish, prawns, shells, wild animals or other food for sale or household food G=Fetch water or collect firewood for household use H=Produce any other good for this household use I=Other (specify): J=None</p>	<p>A B C D E F G H I J</p>
<p>E3. What household work was performed by adults (18 years and older) living in this household in the last 7 days?</p> <p><i>(read list and mark affirmative answers)</i></p>	<p>A=Shopping for household B=Repairing any household equipment C=Cooking D=Cleaning utensils/house E=Washing clothes F=Caring for children/older/sick G=Other household tasks (specify): H=None</p>	<p>A B C D E F G H</p>
<p>E4. During the last 7 days, did children (5-17 years) living in</p>	<p>A=Land clearing B=Felling and chopping</p>	<p>A B</p>

<p>this household perform any of the following activities?</p> <p><i>(read list and mark affirmative answers)</i></p>	<p>C=Burning D=Stumping E=Pegs cutting F=Lining and pegging G=Holing/planting of suckers H=Preparation of seedlings I=Holing/planting of seedlings J=Sowing at stake K=Weeding L=Spraying insecticide M=Applying fertilizer N=Applying fungicide/herbicides/other chemicals O=Carrying water for spraying P=Sanitation and pruning Q=Mistletoe control R=Plucking of cocoa pods S=Gathering and heaping cocoa pods T=Cocoa pod breaking and fermentation U=Carting fermented cocoa beans V=Drying cocoa beans W=Carting of dry cocoa beans to shed X=Other (specify): Y=None</p>	<p>C D E F G H I J K L M N O P Q R S T U V W X Y</p>
<p>E5. What other economic activities were performed by children (5-17 years) living in this household in the past 7 days?</p> <p><i>(read list and mark affirmative answers)</i></p>	<p>A=Run or do any kind of business, big or small, for himself/herself or with one or more partners B=Do any work for a wage, salary, commission or any payment in kind (excluding domestic work) C=Do any work as a domestic worker for a wage, salary or any payment in kind D=Help unpaid in a household business of any kind E=Do any construction or major repair work on his/her own home, plot, or business, or those of the household F=Catch any fish, prawns, shells, wild animals or other food for sale or household food G=Fetch water or collect firewood for household use H=Produce any other good for this household use I=Other (specify): J=None</p>	<p>A B C D E F G H I J</p>
<p>E6. What household work was performed by children (5-17 years) living in this household in the last 7 days?</p> <p><i>(read list and mark affirmative answers)</i></p>	<p>A=Shopping for household B=Repairing any household equipment C=Cooking D=Cleaning utensils/house E=Washing clothes F=Caring for children/older/sick G=Other household tasks (specify): H=None</p>	<p>A B C D E F G H</p>
<p>E7. Do you pay or in some way reward the children who work in your household or farm?</p>	<p>1=Yes 2=No (→ go to F1) 3=Sometimes</p>	<p>1 2 3</p>

	4=No children work in my household or farm (→ go to F1)	4
E8. If you pay the children who work in your household or farm, how much do you pay them?	Amount (in old Cedis) 9999998=I don't pay them	/ _ / _ / _ / _ / _ / _ /
E9. If you reward the children who work in your household or farm in kind, what do you give them?	Specify:	

F. Access to Education

Respondent Number (from A1)		/ / /
F1. Have all the children between 5 and 17 years living in this household attended school in the past 12 months?	1=Yes 2=No (→ go to F3)	1 2
F2. If not all of the children (5 to 17 years) in this household attended school, why not?	Specify:	
F3. Were any of the following reasons for children (5 to 17 years) living in this household to not attend school or to miss classes in the past 12 months? <i>(read list and mark affirmative answers)</i>	A=Completed compulsory schooling B=Too old for school C=Too young for school D=Disability/illness E=No school/school too far F=Cannot afford schooling G=Family did not allow schooling H=Poor in studies/not interested in school I=Education not considered valuable J=School not safe K=To learn a job L=Work for pay or family business or farm M=Help at home with household chores N=Other (specify):	A B C D E F G H I J K L M N

G. Access to Health Care

Respondent Number (from A1)		/ / /
G1. Did any of the children (5 to 17 years) who live in your household experience any of the following injuries related to work in agriculture in the past 12 months? <i>(read list and mark affirmative answers)</i>	A=Wounds/cuts B=Broken bones C=Snake bites D=Insect bites E=Back pains F=Muscle pains G=Other pains (specify): H=Hurt by fire or heat of the sun I=Skin itchiness or scratches J=Other (specify): K=They did not experience any injuries L=They do not work on a farm or field (→ go to G5)	A B C D E F G H I J K L
G2. How many times do you remember that a child has been injured while performing work in agriculture in the past 12 months?	Number of times 98=Don't know	/ _ / _ /

G3. What work were the children doing when they experienced their most serious injury related to work in agriculture in the past 12 months?	Specify:	
G4. Did any of the children who live in your household experience any of the following health consequences from injuries related to work in agriculture in the past 12 months? <i>(read list and mark affirmative answers)</i>	1=Child was in very bad pain 2=Child felt very sick or tired 3=Child did not feel well for a long time 4=Child had to receive treatment at a health center 5=Child had to receive treatment at a hospital 6=Child could not continue working 7=Child could not go to school 8=Other (specify): 9=No impact experienced	1 2 3 4 5 6 7 8 9
G5. Have any of the children (5 to 17 years) who live in your household experienced any injuries while performing economic activity other than agriculture in the past 12 months?	1=Yes (specify): 2=No	1 2
G6. Have any of the children (5 to 17 years) who live in your household experienced any injuries while performing household chores in the past 12 months?	1=Yes (specify): 2=No	1 2
G7. Have any of the children (5 to 17 years) who live in your household had any of the following illnesses and other health problems in the past 12 months? <i>(read list and mark affirmative answers)</i>	A=Diarrhea B=Vomiting C=Fever (high body temperature) D=Infections of respiratory tracts (flu) E=Malaria F=Typhoid fever G=Anemia H=Cholera I=Eye problems (hurt or sore) J=Stomach problems (pains or other discomfort) K=Breathing problems (difficulty in breathing) L=Extreme fatigue (very tired) M=Other (specify): N=None	A B C D E F G H I J K L M N
G8. When children who live in your household were ill or injured in the past 12 months, what type of treatment did they receive? <i>(more than one answer allowed)</i>	A=Child received first aid B=Child took medicine C=A nurse at the health center cared for child D=A doctor and/or nurse in the hospital cared for child E=Child went to the drug store and the person who knows about drugs helped child F=Child took some herbal medicine G=A Spiritualist/religious person cared for child H=I prayed for child using traditional methods I=Self-medication J=Other (specify): _____ K=Child did not receive any care or help	A B C D E F G H I J K

G9. When the children who live in your household were ill or injured in the past <u>12 months</u>, who paid for their treatment? <i>(more than one answer allowed)</i>	A=Child's parents/guardians	A
	B=Family relatives (specify):	B
	C=Child pays for him/herself	C
	D=Person child works for	D
	E=Family health insurance	E
	F=It was free	F
	G=Other (specify):	G
	H=Nobody paid for child, child did not receive treatment	H

H. Project Activities

Respondent Number (from A1)		/ / /
H1. Sometimes projects are being carried out in support of working children, school children and other groups of children. Have any of the children (5 to 17 years) who live in your household ever participated in a project?	1=Yes 2=No (→ go to H7) 3=Don't know (→ go to H7)	1 2 3
H2. Do you know the name of the project?	1=Yes (specify): 2=No	1 2
H3. Do you know the name of the organization that worked on the project?	1=Yes (specify): 2=No	1 2
H4. Where was the project done?	Specify:	
H5. What did the children participate in?	Specify:	
H6. When did the children participate in the project?	Year 9998=Don't know	/ / / / /
H7. Can you tell me, if you have heard about child labor?	1=Yes 2=No (→ Go to H11) 3=Don't know (→ Go to H11)	1 2 3
H8. What have you heard about child labor?	Specify:	
H9. From whom did you hear about child labor?	Specify:	
H10. What is your opinion about what you have heard from child labor?	Specify:	
H11. Can you tell me, if the children living in this household have heard about child labor?	1=Yes 2=No 3=Don't know	1 2 3

I. Additional Questions on HIV/AIDS²

Respondent Number (from A1)		/ / /
I1. Have you ever heard of the virus HIV or the illness AIDS?	1=Yes 2=No (→end of interview)	1 2
I2. Who told you about it?	A=Parents B=Friends C=Relatives D=Media E=In school	A B C D E

² Based on ILO/IPEC (2003). HIV/AIDS and child labour in Zambia: A rapid assessment. Paper No. 5.

	F=Medical facilities G=In the workplace H=Other (specify):	F G H
13. Only if the response to I2 is "school": Are there prevention or intervention programs within your school? <i>(read list and mark affirmative answers)</i>	A=Information (brochures, posters, etc.) B=Discussion/education (lessons, workshop, etc.) C=Availability of condoms D=Voluntary testing E=Counseling F=Care and support services G=Antiretroviral treatment H=Other (specify):	A B C D E F G H
14. Only if the response to I2 is "workplace": Are there prevention or intervention programs within your workplace? <i>(read list and mark affirmative answers)</i>	A=Information (brochures, posters, etc.) B=Discussion/education (lessons, workshop, etc.) C=Availability of condoms D=Voluntary testing E=Counseling F=Care and support services G=Antiretroviral treatment H=Other (specify):	A B C D E F G H
15. Is there anything a person can do to avoid getting HIV, the virus that causes AIDS?	1=Yes 2=No 3=Don't know	1 2 3
16. Do you think a person can get infected with AIDS through supernatural means?	1=Yes 2=No 3=Don't know	1 2 3
17. Can people protect themselves from the AIDS virus by using a condom?	1=Yes 2=No 3=Don't know	1 2 3
18. Can a person get AIDS from mosquito bites?	1=Yes 2=No 3=Don't know	1 2 3
19. Is it possible for a healthy-looking person to be HIV-positive?	1=Yes 2=No 3=Don't know	1 2 3
I10. Can HIV be transmitted from mother to child?	1=Yes 2=No 3=Don't know	1 2 3
I11. Do you know of a place where you can go to get such a test to see if you have AIDS?	1=Yes 2=No	1 2
I12. I do not want to know the results, but have you ever been tested to see if you have HIV?	1=Yes 2=No	1 2
I13. I do not want to know the results of the test, but have you been told the results?	1=Yes 2=No	1 2
I14. Does your work have any risks to you getting HIV? What are some of the risks?	1=Yes (specify): 2=None	1 2

We have now come to the end of the interview, do you want to ask me any questions?
I will be happy to answer any question you may want to ask me.

Note question asked: _____

THANK YOU VERY MUCH!

Tulane University
GHANA CHILD LABOUR SURVEY
Child Interview¹

November 8, 2007

01. REGION/___/___/	04. ENUMERATION AREA...../___/___/___/
02. DISTRICT...../___/___/	05. VILLAGE/TOWN...../___/___/
03. COCOA DISTRICT...../___/___/	
HOUSEHOLD	SCHOOL
6a. HOUSE NUMBER...../___/___/___/	6b. SCHOOL NUMBER...../___/___/___/
7a. HOUSEHOLD NUMBER...../___/___/	
8a. RESPONDENT NUMBER...../___/___/	
9. NAME OF INTERVIEWER	
10. NAME OF SUPERVISOR	
11. INTERVIEW LANGUAGE	
12. DATE OF INTERVIEW Day /___/___/ Month /___/___/ Year /___/___/___/	
13. START OF INTERVIEW Hour /___/___/ Minute /___/___/	
14. END OF INTERVIEW Hour /___/___/ Minute /___/___/	

BEFORE THE START OF THE INTERVIEW, FOLLOW THE INFORMED CONSENT PROCEDURES FOR INTERVIEWING A CHILD.

Study Title: Child Labor in the Cocoa Sector
Investigators: William E. Bertrand and Elke de Buhr

We are doing a research study. A research study is a way to find out about something. We are trying to find out about the living situation and the work activities of children in the villages of your country.

You can decide if you want to be in the research study. If you want to be in the study, this is what will happen. You will talk with me. I am the interviewer. I will be asking you questions about your life and work. I will not tell anybody in the house or the village what you have answered, and we will not give your name to anyone. When you talk to me, no other adults or other children are allowed to listen but you may choose an adult or other child to observe the interview from a distance. You can choose any adult or child except one of your parents or guardians.

Some questions may be difficult to answer or the interview may be too long.

We don't know if this study will help you. We hope to learn something that will help children and young people some day.

You don't have to be in this study. It is up to you. You will still be taken care of if you decide that you don't want to be in the study. If you decide to do this but then change your mind, just tell me and I will stop the interview.

If you want to be in this study, please sign or print your name.

I, _____, want to be in this research study.
 Print your name here

 Sign your name here

 Date

¹Prepared by William Bertrand and Elke de Buhr based on ILO National Child Labor Questionnaires and other instruments. Valuable input was provided by team members, partners and other stakeholders.

Thank you for agreeing to answer these questions. If at any time you do not understand a word I use or a question I ask, please let me know. Remember that you can stop me at any time. No one will know what you tell us. We will not give your name to anyone.

If you are ready then, we could start the interview.

A. Child Characteristics

I will start with asking you a few questions about yourself...

A1. Respondent Number		/ / /
A2. How old are you?	Age in years (if unknown, estimate)	/ / /
A3. Sex of child	1=Boy 2=Girl	1 2
A4. What ethnic group do you belong to?	Specify:	
A5. What religion do you belong to?	1=Catholic 2=Protestant 3=Muslim 4=Other (specify):	1 2 3 4
A6. Where were you born?	1=Ghana (specify village/town): 2=Cote d'Ivoire 3=Burkina-Faso 4=Mali 5=Other country (specify):	1 2 3 4 5
A7. Currently, where do you live?	1=Ghana (specify village/town): 2=Cote d'Ivoire 3=Burkina-Faso 4=Mali 5=Other country (specify):	1 2 3 4 5
A8. If you were born in a location different than your current place of residence, how did you get to the place where you live today?	1=I came with my Mother and Father who moved here 2=I came with my Father who moved here 3=I came with my Mother who moved here 4=I came with my family relatives (uncle, aunt, cousin, brother, sister, etc.) 5=I came here with a friend of my mother and/or father or family 6=I came with my friend/friends 7=I came here with a person I recently met 8=I came by myself 9=Other (specify): _____ 10=I never changed my place of residence	1 2 3 4 5 6 7 8 9 10

B. Caregiving Arrangement

I will now ask you a few questions about who is taking care of you...

Respondent Number (from A1)		/ / /
B1. Can you tell me who primarily takes care of you? <i>(more than one answer allowed)</i>	A=Father B=Mother C=Grandfather D=Grandmother E=Uncle F=Aunt G=Brother H=Sister I=Other relative (specify):	A B C D E F G H I

	J=Employer K=Nobody L=Other (specify):	J K L
B2. Do you live with your birth father?	1=Yes (→ go to B5) 2=No	1 2
B3. Why are you not living with your birth father?	1=He died 2=He works in different village/town 3=He is divorced/separated from my mother 4=He left me/us 5=I go to school in different village/town 6=I go to work in different village/town 7=I was sent to live with my family relatives 8=Other (specify): 9=Don't know	1 2 3 4 5 6 7 8 9
B4. How old were you when you stopped living with your birth father?	Age in years 98=Don't know	/ _ / _ /
B5. Do you live with your birth mother?	1=Yes (→ go to C1) 2=No	1 2
B6. Why are you not living with your birth mother?	1=She died 2=She works in different village/town 3=She is divorced/separated from my father 4=She left me/us 5=I go to school in different village/town 6=I go to work in different village/town 7=I was sent to live with my family relatives 8=Other (specify): 9=Don't know	1 2 3 4 5 6 7 8 9
B7. How old were you when you stopped living with your birth mother?	Age in years 98=Don't know	/ _ / _ /

C. Migration (and Trafficking)²

I am now going to ask a few questions about where you and your family come from...

Respondent Number (from A1)		/ _ / _ /
C1. Where do your father and his family come from?	1=Ghana (specify village/town): 2=Cote d'Ivoire 3=Burkina-Faso 4=Mali 5=Other country (specify):	1 2 3 4 5
C2. Where do your mother and her family come from?	1=Ghana (specify village/town): 2=Cote d'Ivoire 3=Burkina-Faso 4=Mali 5=Other country (specify):	1 2 3 4 5
C3. Have you always lived where you live today?	1=Yes (go to D1) 2=No	1 2
C4. Where did you live before you moved here?	1=Ghana (specify village/town): 2=Cote d'Ivoire 3=Burkina-Faso 4=Mali 5=Other country (specify):	1 2 3 4 5

² Based on ILO Convention 183 (WFCL) and UN Protocol to Prevent, Suppress and Punish Trafficking in Persons.

C5. For how many years have you lived where you live today?	Number of years 98=Don't know	/_/_/
C6. Who moved with you to where you live today?	1=My mother and father 2=Only my father 3=My father and his other wife/wives 4=Only my mother 5=My mother with her other husband 6=I moved without my mother and father (→ go to C8) 7=Someone else (specify): (→ go to C8)	1 2 3 4 5 6 7
C7. If you moved <u>with</u> a parent or guardian, what was the reason for moving? <i>(more than one answer allowed)</i>	A=My parent/guardian built a house B=My parent/guardian bought farm/land C=My parent/guardian inherited farm/land D=My parent/guardian entered a sharecropping arrangement E=My parent/guardian started seasonal work in agriculture F=My parent/guardian was looking for job G=My parent/guardian found a job (specify): H=My parent/guardian wanted me to go to (a better) school I=Other (specify): J=I don't know (→ go to C9)	A B C D E F G H I J
C8. If you moved <u>without</u> a parent or guardian, what was the reason for moving? <i>(more than one answer allowed)</i>	A=I was looking for job B=I found a job (specify): C=Because of my school/training D=Because of my marriage E=My mother and father could not take care of me F=I am staying with my relatives G=My friends were leaving so I joined them H=A person I recently met asked me if I wanted to I=Other (specify): J=I don't know	A B C D E F G H I J
C9. Who decided that you would move to where you live today? <i>(more than one answer allowed)</i>	A=My father B=My mother C=My relatives D=My friends E=A person I recently met F=I decided G=Other (specify): H=Don't know	A B C D E F G H
C10. Did you want to move?	1=Yes (→ go to C12) 2=I had mixed feeling about it 3=No 4=I don't know	1 2 3 4
C11. Why didn't you want to move or have mixed feeling about moving? <i>(read list and mark affirmative answers)</i>	A=I was going to be separated from my mother and father B=I was going to be separated from my relatives C=I was going to be separated from friends and community D=I was not sure about the person I was going to go with E=I did not want to leave my school/training F=I was frightened about the unknown G=I was frightened about being hurt/abused H=Other (specify): I=I don't know	A B C D E F G H I
C12. Could you describe your living after you moved? <i>(read list and mark affirmative answers)</i>	A=I am happy that I moved, my life is better B=I am unhappy that I moved, my life is far worse C=My life is the same; my move did not change my life one way or the other D=I was told about all these good things that were going to happen when I moved, but I find that it was not true E=Other (specify): F=I don't know	A B C D E F

C13. How did you move here?	1=I moved by bus 2=I moved by car 3=I moved by cart 4=I walked (go to next section) 5=Other (specify):	1 2 3 4 5
C14. Who paid for your transportation?	1=My family paid 2=The person I went with paid 3=I paid myself 4=Someone else (specify): 5=I can't remember	1 2 3 4 5

D. Work Activities

I am now going to ask you some question about your work...

Respondent Number (from A1)		/ / /
D1. Work in agriculture involves work on your own or the household's plot, farm, food garden, or help in growing farm produce or in looking after animals for the household. Did you work in agriculture for at least one hour during the past 7 days?	1=Yes 2=No	1 2
D2. Did you work on a cocoa farm for at least one hour during the past 7 days?	1=Yes 2=No	1 2
D3. I am going to read a list of work activities in agriculture, please tell me, during the last 7 days, have you worked at any of the following activities? <i>(read list and mark affirmative answers)</i>	A=Land clearing B=Felling and chopping C=Burning D=Stumping E=Pegs cutting F=Lining and pegging G=Holing/planting of suckers H=Preparation of seedlings I=Holing/planting of seedlings J=Sowing at stake K=Weeding L=Spraying insecticide M=Applying fertilizer N=Applying fungicide/herbicides/other chemicals O=Carrying water for spraying P=Sanitation and pruning Q=Mistletoe control R=Plucking of cocoa pods S=Gathering and heaping cocoa pods T=Cocoa pod breaking and fermentation U=Carting fermented cocoa beans V=Drying cocoa beans W=Carting of dry cocoa beans to shed X=Other (specify): Y=None	A B C D E F G H I J K L M N O P Q R S T U V W X Y
D4. Work in agriculture involves work on your own or the household's plot, farm, food garden, or help in growing farm produce or in looking after animals for the household. During the last 12 months, have you worked in agriculture?	1=Yes 2=No	1 2
D5. During the last 12 months, have you worked in cocoa farming?	1=Yes 2=No	1 2

<p>D6. I am going to read a list of work activities in agriculture, please tell me, during the last <u>12 months</u>, have you worked at any of the following activities? (read each and mark affirmative answers)</p>	<p>A=Land clearing B=Felling and chopping C=Burning D=Stumping E=Pegs cutting F=Lining and pegging G=Holing/planting of suckers H=Preparation of seedlings I=Holing/planting of seedlings J=Sowing at stake K=Weeding L=Spraying insecticide M=Applying fertilizer N=Applying fungicide/herbicides/other chemicals O=Carrying water for spraying P=Sanitation and pruning Q=Mistletoe control R=Plucking of cocoa pods S=Gathering and heaping cocoa pods T=Cocoa pod breaking and fermentation U=Carting fermented cocoa beans V=Drying cocoa beans W=Carting of dry cocoa beans to shed X=Other (specify): Y=None (→ go to D8)</p>	<p>A B C D E F G H I J K L M N O P Q R S T U V W X Y</p>
<p>D7. During the last <u>12 months</u>, who did you work for when doing work in agriculture? (more than one answer allowed)</p>	<p>A=My father B=My mother C=My relative (specify): D=A friend of my mother and father E=My friend F=A man who owns the farm or field G=A contractor who rents the farm or field H=Myself I=Other (specify): J=Don't know</p>	<p>A B C D E F G H I J</p>
<p>D8. Have you done economic activity other than agriculture for at least one hour during the past <u>7 days</u>?</p>	<p>1=Yes 2=No</p>	<p>1 2</p>
<p>D9. During the last <u>7 days</u>, have you done any of the following work activities? I am going to list a number of work activities, you can answer yes to more than one activity if you have done it. (read list and mark affirmative answers)</p>	<p>A=Run or do any kind of business, big or small, for himself/herself or with one or more partners B=Do any work for a wage, salary, commission or any payment in kind (excluding domestic work) C=Do any work as a domestic worker for a wage, salary or any payment in kind D=Help unpaid in a household business of any kind E=Do any construction or major repair work on his/her own home, plot, or business, or those of the household F=Catch any fish, prawns, shells, wild animals or other food for sale or household food G=Fetch water or collect firewood for household use</p>	<p>A B C D E F G</p>

	H=Produce any other good for this household use I=Other (specify): J=None	H I J
D10. During the last 12 months, have you done economic activities other than agriculture?	1=Yes 2=No	1 2
D11. During the last 12 months, have you done any of the following work activities? <i>(read list and mark affirmative answers)</i>	A=Run or do any kind of business, big or small, for himself/herself or with one or more partners B=Do any work for a wage, salary, commission or any payment in kind (excluding domestic work) C=Do any work as a domestic worker for a wage, salary or any payment in kind D=Help unpaid in a household business of any kind E=Do any construction or major repair work on his/her own home, plot, or business, or those of the household F=Catch any fish, prawns, shells, wild animals or other food for sale or household food G=Fetch water or collect firewood for household use H=Produce any other good for this household use I=Other (specify): J=None (→ go to D13)	A B C D E F G H I J
D12. During the last 12 months, who did you work for when performing economic activity other than agriculture? <i>(more than one answer allowed)</i>	A=My father B=My mother C=My relative (specify): D=A friend of my mother and father E=My friend F=Someone not related to my family G=Myself H=Other (specify): I=Don't know	A B C D E F G H I
D13. During the last 7 days, have you done any household work?	1=Yes 2=No	1 2
D14. In the last 7 days, did you do any of the following work activities? <i>(read list and mark affirmative answers)</i>	A=Shopping for household B=Repairing any household equipment C=Cooking D=Cleaning utensils/house E=Washing clothes F=Caring for children/older/sick G=Other household tasks (specify): H=I did not perform household work	A B C D E F G H
D15. During the last 12 months, have you done any household work?	1=Yes 2=No	1 2
D16. In the last 12 months, did you do any of the following activities? (read each and mark affirmative answers)	A=Shopping for household B=Repairing any household equipment C=Cooking D=Cleaning utensils/house E=Washing clothes	A B C D E

	F=Caring for children/older/sick G=Other household tasks (specify): H=I did not perform household work (→ go to E1)	F G H
D17. During the last 12 months, who did you work for when performing household work? <i>(more than one answer allowed)</i>	A=My father B=My mother C=My relative (specify): D=A friend of my mother and father E=My friend F=Someone not related to my family G=Myself H=Other (specify): I=Don't know	A B C D E F G H I

E. Working Hours³

I am now going to ask you some questions about your working hours...

Respondent Number (from A1)		/ / /
E1. Approximately, how many hours do you usually spend per day on work in agriculture? Give me your best guess if you don't know the exact number of hours.	Number of hours per day 98=Don't know 99=I usually don't work in agriculture (→ go to E5)	/ _ / _ /
E2. When do you usually work in agriculture? <i>(read list and mark affirmative answers)</i>	A=All day from when I wake till when I go to sleep B=In the morning C=In the afternoon D=After school E=On the weekends F=During school holidays G=Don't know	A B C D E F G
E3. Approximately, how many hours do you usually work per day on a cocoa farm? Give me your best guess if you don't know the exact number of hours.	Number of hours per day 98=Don't know 99=I usually don't work on a cocoa farm (→ go to E5)	/ _ / _ /
E4. When do you usually work on a cocoa farm? <i>(read list and mark affirmative answers)</i>	A=All day from when I wake till when I go to sleep B=In the morning C=In the afternoon D=After school E=On the weekends F=During school holidays G=Don't know	A B C D E F G
E5. I would like to get a better idea of your working hours. For each day worked during the past week, how many hours did you actually work in agriculture? <i>(read list and specify number)</i>	Monday (number of hours) Tuesday (number of hours) Wednesday (number of hours) Thursday (number of hours) Friday (number of hours) Saturday (number of hours) Sunday (number of hours) 98=Don't know	/ _ / _ / / _ / _ /
E6. What is the total number of hours you spent on work in agriculture in the past 7 days?	Number of hours per week 98=Don't know	/ _ / _ /

³ Based on ILO Convention 182 (WFCL) and ILO Convention 138 (Minimum Age).

<p>E7. For each day worked during the past week, how many hours did you actually work on a cocoa farm?</p> <p><i>(read list and specify number)</i></p>	<p>Monday (number of hours) Tuesday (number of hours) Wednesday (number of hours) Thursday (number of hours) Friday (number of hours) Saturday (number of hours) Sunday (number of hours)</p> <p>98=Don't know</p>	<p>/ / / / / / / /</p>
<p>E8. What is the total number of hours you worked on a cocoa farm in the past 7 days?</p>	<p>Number of hours per week</p> <p>98=Don't know</p>	<p>/ / / /</p>
<p>E9. How old were you when you started working in agriculture for the first time?</p>	<p>Age in years</p> <p>98=Don't know 99=Never worked in agriculture</p>	<p>/ / / /</p>
<p>E10. Approximately, how many hours do you usually spend a day on economic activities other than agriculture?</p>	<p>Number of hours per day</p> <p>98=Don't know 99=I usually don't perform economic activities other than agriculture (→ go to E12)</p>	<p>/ / / /</p>
<p>E11. When do you usually work on economic activities other than agriculture?</p> <p><i>(read list and mark affirmative answers)</i></p>	<p>A=All day from when I wake till when I go to sleep B=In the morning C=In the afternoon D=After school E=On the weekends F=During school holidays G=Don't know</p>	<p>A B C D E F G</p>
<p>E12. For each day worked during the past week, how many hours did you actually work in economic activities other than agriculture?</p> <p><i>(read list and specify number)</i></p>	<p>Monday (number of hours) Tuesday (number of hours) Wednesday (number of hours) Thursday (number of hours) Friday (number of hours) Saturday (number of hours) Sunday (number of hours)</p> <p>98=Don't know</p>	<p>/ / / / / / / /</p>
<p>E13. What is the total number of hours you spent on economic activities other than agriculture in the past 7 days?</p>	<p>Number of hours per week</p> <p>98=Don't know</p>	<p>/ / / /</p>
<p>E14. How old were you when you started doing economic activities other than agriculture for the first time?</p>	<p>Age in years</p> <p>98=Don't know 99=Never performed economic activities other than agriculture</p>	<p>/ / / /</p>
<p>E15. Approximately, how many hours do you usually spend a day on household work?</p>	<p>Number of hours per day</p> <p>98=Don't know 99=I usually don't perform household work (→ go to E17)</p>	<p>/ / / /</p>
<p>E16. When do you usually work in the household?</p> <p><i>(read list and mark affirmative answers)</i></p>	<p>A=All day from when I wake till when I go to sleep B=In the morning C=In the afternoon D=After school E=On the weekends F=During school holidays G=Don't know</p>	<p>A B C D E F G</p>

E17. For each day worked during the past week, how many hours did you actually spend on household work? <i>(read list and specify number)</i>	Monday (number of hours) Tuesday (number of hours) Wednesday (number of hours) Thursday (number of hours) Friday (number of hours) Saturday (number of hours) Sunday (number of hours)	/ / / / / / / /
	98=Don't know	
E18. What is the total number of hours you spent on household work in the past 7 days?	Number of hours per week 98=Don't know	/ / / /
E19. How old were you when you started doing household work for the first time?	Age in years 98=Don't know 99=Never performed household work	/ / / /

F. Injury and Illness⁴

I am now going to ask you some questions about your experience with difficult or dangerous work, including any accidents or illness you might have experienced in the last 12 months...

Respondent Number (from A1)		/ / /
F1. Did you experience any of the following injuries related to work in agriculture in the past 12 months? <i>(read list and mark affirmative answers)</i>	A=Wounds/cuts B=Broken bones C=Snake bites D=Insect bites E=Back pains F=Muscle pains G=Other pains (specify): H=Hurt by fire or heat of the sun I=Skin itchiness or scratches J=Other (specify): K=I did not experience any injuries L=I do not work in agriculture (→ go to F5)	A B C D E F G H I J K L
F2. How many times do you recall having been injured while performing work in agriculture in the past 12 months?	Number of times 98=Don't know	/ / / /
F3. What were the agricultural activities that you carried out when you suffered your worst injury in the past 12 months?	Specify:	
F4. Did you experience any of the following health consequences from injuries related to work in agriculture in the past 12 months? <i>(read list and mark affirmative answers)</i>	A=I was in very bad pain B=I felt very sick or tired C=I did not feel well for a long time D=I had to receive treatment at a health center E=I had to receive treatment at a hospital F=I could not continue working G=I could not go to school H=Other (specify): I=I did not experience any impact	A B C D E F G H I

⁴ Based on ILO Convention 183 (WFCL) and ILO Recommendation 190.

F5. Have you experienced any injuries related to economic activities other than agriculture in the past 12 months?	1=Yes (specify): 2=No	1 2
F6. Have you experienced any injuries related to household work in the past 12 months?	1=Yes (specify): 2=No	1 2
F7. Have you had any of the following illnesses and other health problems in the past 12 months? <i>(read list and mark affirmative answers)</i>	A=Diarrhea B=Vomiting C=Fever (high body temperature) D=Infections of respiratory tracts (flu) E=Malaria F=Typhoid fever G=Anemia H=Cholera I=Eye problems (hurt or sore) J=Stomach problems (pains or other discomfort) K=Breathing problems (difficulty in breathing) L=Extreme fatigue (very tired) M=Other (specify): N=None	A B C D E F G H I J K L M N
F8. When you were ill or injured in the past 12 months, what type of treatment did you receive? <i>(more than one answer allowed)</i>	A=I received first aid B=I took medicine C=A nurse at the health center cared for me D=A doctor and/or nurse in the hospital cared for me E=I went to the drug store and the person who knows about drugs helped me F=I took some herbal medicine G=A spiritualist/religious person cared for me H=I prayed using traditional methods I=Other (specify): J=I did not receive any care or help	A B C D E F G H I J
F9. When you were ill or injured in the past 12 months, who paid for your treatment? <i>(more than one answer allowed)</i>	A=My parents/guardians B=Family relatives (specify): C=I paid for myself D=Person I work for E=Family health insurance F=The treatment was free G=Other (specify): H=Nobody paid for me, I did not receive treatment	A B C D E F G H

G. Heavy Loads⁵

I am now going to ask you some question about heavy loads when you are working...

Respondent Number (from A1)		/ / /
G1. Did you have to carry heavy loads as part of the following agricultural activities in the past 12 months? <i>(read list and mark affirmative answers)</i>	A=Carrying timber and other loads during land clearing B=Carrying water for spraying C=Gathering and heaping cocoa pods D=Carting fermented cocoa beans E=Carting of dry cocoa beans to shed F=Other (specify): G=None H=I don't work in agriculture (→ go to G3)	A B C D E F G H

⁵ Based on ILO Convention 183 (WFCL) and ILO Recommendation 190.

G2. Did you experience any of the following health consequences from carrying heavy loads when working in agriculture in the past 12 months? <i>(read list and mark affirmative answers)</i>	A=I was in very bad pain B=I felt very sick or tired C=I did not feel well for a long time D=I had to receive treatment at a health center E=I had to receive treatment at a hospital F=I could not continue working G=I could not go to school H=Other (specify): I=I did not experience any impact	A B C D E F G H I
G3. Did you have to carry heavy loads as part of economic activities other than agriculture in the past 12 months?	1=Yes (specify): 2=No	1 2
G4. Did you have to carry heavy loads as part of household work in the past 12 months?	1=Yes (specify): 2=No	1 2

H. Environmental Hazards⁶

I am now going to ask you some question about difficulties or dangers you may have experienced while working...

Respondent Number (from A1)		/ / /
H1. Have you experienced any of the following difficulties or dangers while working in agriculture in the past 12 months? <i>(read list and mark affirmative answers)</i>	A=Dust or dangerous fumes B=Fire, gas or flames C=Very hot weather D=Long hours in the direct sun E=Work at dangerous heights (high up on a trees, etc.) F=Work in water, like, pond or river G=Spraying of pesticides, insecticides, H=Other (specify): I=None J=I don't work in agriculture (→ go to H3)	A B C D E F G H I J
H2. Did you experience any of the following health consequences from exposure to one or more of the environmental hazards we just talked about when working in agriculture in the past 12 months? <i>(read list and mark affirmative answers)</i>	A=I was in very bad pain B=I felt very sick or tired C=I did not feel well for a long time D=I had to receive treatment at a health center E=I had to receive treatment at a hospital F=I could not continue working G=I could not go to school H=Other (specify): I=I did not experience any impact	A B C D E F G H I
H3. Have you been exposed to one or more of the environmental hazards we just talked about as part of economic activities other than agriculture in the past 12 months?	1=Yes (specify): 2=No	1 2
H4. Have you been exposed to one or more of the environmental hazards we just talked about as part of household work in the past 12 months?	1=Yes (specify): 2=No	1 2

⁶ Based on ILO Convention 183 (WFCL) and ILO Recommendation 190.

I. Tools, Equipment and Machinery⁷

Respondent Number (from A1)		/ / /
I1. When working in agriculture did you use any of the following tools, equipment or machinery in the past <u>12 months</u>? <i>(read list and mark affirmative answers)</i>	A=Machete B=Tractor C=Bullock D=Hoe E=Sprayer F=Other (specify): G=None H=Did not work in agriculture (→ go to I5)	A B C D E F G H
I2. Do you remember being injured when using any of these tools or machinery while working in agriculture in the past <u>12 months</u>?	1=Yes (specify): 2=No	1 2
I3. Did you experience any of the following health consequences from operating tools or machinery when working in agriculture in the past <u>12 months</u>? <i>(read list and mark affirmative answers)</i>	A=I was in very bad pain B= I felt very sick or tired C=I did not feel well for a long time D=I had to receive treatment at a health center E=I had to receive treatment at a hospital F=I could not continue working G=I could not go to school H=Other (specify): I=I did not experience any impact	A B C D E F G H I
I4. In the past <u>12 months</u>, did you use any protective wear while working in agriculture? <i>(read list and mark affirmative answers)</i>	A=Protective boots B=Gloves C=Protective clothing D=Nose/gas mask E=Other (specify): F=None	A B C D E F
I5. Did you operate tools or machinery as part of economic activities other than agriculture in the past <u>12 months</u>?	1=Yes (specify): 2=No	1 2
I6. Did you operate tools and machinery as part of household work in the past <u>12 months</u>?	1=Yes (specify): 2=No	1 2

J. Forced Labor⁸

I am now going to ask you some questions about work you may have had to do against your will...

Respondent Number (from A1)		/ / /
J1. In the past <u>12 months</u>, have you been forced to do work against your will?	1=Yes 2=No (→ go to K1)	1 2
J2. What kind of work have you been forced to do against your will in the past <u>12 months</u>? <i>(more than one answer allowed)</i>	A=Work in agriculture B=Economic activity other than agriculture C=Household work D=Other (specify):	A B C D
J3. Please tell me a bit more about the work you were forced to do in the past <u>12 months</u>.	Specify:	

⁷ Based on ILO Convention 183 (WFCL) and ILO Recommendation 190.

⁸ Based on ILO Convention 183 (WFCL) and ILO Convention 29 (Forced Labor).

J4. In the past <u>12 months</u>, how often have you been forced to do work against your will?	1=1 time 2=2-5 times 3=5-20 times 4=More than 20 times	1 2 3 4
J5. Who forced you to work? <i>(more than one answer allowed)</i>	A=My father B=My mother C=A family relative (specify): D=The person who brought me here who is not a family member to me E=The person I worked for who is not a family member to me F=Somebody else (specify):	A B C D E F
J6. Why didn't you want to work when you were asked to? <i>(read list and mark affirmative answers)</i>	A=The work was hard or difficult B=The work involved long working hours C=It was dangerous work D=It was boring work E=Because I had to do what adults don't like to do F=I did not like my employer G=I did not like the people I was working with H=Because I had to skip school or drop out of school I=I felt too weak or sick for that kind of work J=Because I have heard that children like us must not do this kind of work K=I felt others were able to do it better L=I felt that it was not fair that I was asked to do this work M=Because I could not be with my family and friends N=My employer did not pay me O=Other (specify):	A B C D E F G H I J K L M N O
J7. If you refuse to work what would happen to you? <i>(read list and mark affirmative answers)</i>	A=I would receive insults B=I would be beaten C=I would not have anything to eat D=I would not get paid E=I would have no money to go to school F=I would have been punished G=I would have been given harder work H=Other (specify):	A B C D E F G H

K. Compensation and Debts⁹

I am now going to ask you questions about how you have been paid or in another way rewarded for your work...

Respondent Number (from A1)		/ / /
K1. Have received any payment for work you did in agriculture in the past <u>12 months</u>?	1=Yes 2=No (→ go to K3) 3=Did not work in agriculture (→ go to K4)	1 2 3
K2. How much were you paid for work you did in agriculture in the past <u>12 months</u>?	Payment (in old Cedis) 9999998=Don't know	/ / / / / / / / / /
K3. Tell me about other rewards that you might have received for work you did in agriculture in the past <u>12 months</u>?	A=Food/meals B=Clothing C=Place to live for free D=Paid for my medical expenses E=Paid for my school expenses	A B C D E

⁹ Based on ILO Convention 183 (WFCL) and UN Supplemental Convention on the Abolition of Slavery.

<i>(read list and mark affirmative answers)</i>	F=Paid for my transportation expenses G=Other (specify): H=None	F G H
K4. Have you received any payment for economic activity other than agriculture in the past <u>12 months</u>?	1=Yes 2=No (→ go to K6)	1 2
K5. How much were you paid for economic activity other than agriculture in the past <u>12 months</u>?	Payment (in old Cedis) 9999998=Don't know	/ / / / / / / / / /
K6. Has someone else, for example your father, mother or another person, been paid for work you have done in the past <u>12 months</u>?	1=Yes 2=No (→ go to K9)	1 2
K7. Who received payment from work you did in the past <u>12 months</u>? <i>(more than one answer allowed)</i>	A=My father B=My mother C=A family relative (specify): D=The person who brought me here who is not a family member to me E=The person I worked for who is not a family member to me F=Somebody else (specify):	A B C D E F
K8. How much was this person paid for work you did in the past <u>12 months</u>?	Payment (in old Cedis) 99999998=Don't know	/ / / / / / / / / /
K9. If you received any payment for work you did in the past <u>12 months</u>, what did you do with your earnings? <i>(more than one answer allowed)</i>	A=Gave all/part of money to my parents/guardians B=Employer gave all/part of money to my parents/guardians C=Paid my school fees D=Bought things for school E= Bought things for household F= Bought things for myself G=Paid debts H=Saved I=Other (specify): J=I did not receive any payment (→ go to L1)	A B C D E F G H I J
K10. Has the money you earned in the past 12 months helped to pay back money you or a member of your family owed to someone else?	1=Yes, it helped to pay off my debts 2=Yes, it helped to pay off my family's debts 3=My family or I do not have debts (→ go to L1) 4=Don't know (→ go to L1)	1 2 3 4
K11. Who did you or a member of your family give the money to? <i>(more than one answer allowed)</i>	A=Employer/farm owner B=People who helped with travel arrangements C=People who helped with finding this job D=Someone I borrowed money from E=Someone my family borrowed money from F=Other (specify): G=Don't know	A B C D E F G
K12. How much do you or your family owe?	My debt (in old Cedis) My family's debt (in old Cedis) 99999998=Don't know	/ / / / / / / / / / / / / / / / / / / /

K13. Do you have to continue working until all the money owed is paid back?	1=Yes	1
	2=No	2
	3=Don't know	3

L. Education

Now I am going to ask you some questions about your education/schooling...

Respondent Number (from A1)		/ _ / _ /
L1. Can you read a short, simple statement in any language?	1=Yes 2=No	1 2
L2. Can you write a short, simple statement in any language?	1=Yes 2=No	1 2
L3. Can you count from 1 to 100?	1=Yes 2=No	1 2
L4. Have you attended school or preschool in the past 12 months?	1=Yes 2=No (→ go to L9)	1 2
L5. If you have attended school, what kind of school did you go to in the past 12 months?	1=Pre-school 2=Primary 3=JSS 4=SSS 5=Other (specify):	1 2 3 4 5
L6. What is the highest level/grade that you have completed at this school?	Grade 98=Don't know 99=Preschool	/ _ / _ /
L7. Did you sometimes miss school days in the past 12 months?	1=Yes 2=No (→ go to L14)	1 2
L8. I am going to read you a list of some reasons of why students might miss school days. Please tell me if any of these were why you missed school for some days in the past 12 months? <i>(read list and mark affirmative answers)</i>	A=I was ill B=I was injured C=I am/was disabled D=The school is too far E=I could not afford schooling F=My family did not allow me to go to school G=I was not very good in my studies H=I was not interested in school I=Education was not valuable to me J=My school is/was not safe K=I wanted to learn a job/skill instead L=I worked for pay M=My family needed me for the family business N=I had to do farm work O=I had to help at home with household chores P=The weather conditions were very bad Q=An emergency happened in my family where I was needed R=I had to travel S=Other (specify):	A B C D E F G H I J K L M N O P Q R S
L9. If you have not attended school in the past 12 months, did you ever attend school or preschool?	1=Yes 2=No (→ go to L13)	1 2
L10. When did you stop attending school?	Year 9998=Don't know	/ _ / _ / _ / _ /
L11. What type of school did you attend at that time?	1=Pre-school 2=Primary 3=JSS	1 2 3

	4=SSS 5=Other (specify):	4 5
L12. What is the highest level/grade that you have completed at this school?	Grade 98=Don't know 99=Preschool	/_/_/
L13. I am going to read you a list of some reasons of why students might not attend school or drop out of school. Please tell me if any of these were why you have not attended school in the past 12 months? <i>(read list and mark affirmative answers)</i>	A=I have completed my compulsory schooling B=I am too old for school C=I am too young for school D=I was ill E=I was injured F=I am/was disabled G=The school is too far H=I cannot afford schooling I=My family does not allow me to go to school J=I am not very good in my studies K=I am not interested in school L=Education is not valuable to me M=My school is not safe N=I wanted to learn a job/skill instead O=I worked for pay P=My family needed me for the family business Q=I have to do farm work R=I have to help at home with household chores S=Other (specify):	A B C D E F G H I J K L M N O P Q R S
L14. At what age did you first start primary school?	Age in years 98=Don't know 99=Never attended primary school	/_/_/
L15. Has your schooling been affected by the work you did in the past 12 months?	1=Yes (→ go to L17) 2=No (→ go to L17) 3=Did not do any work	1 2 3
L16. How did the work you perform affect your education? <i>(more than one answer allowed)</i>	A=Injury B=Illness C=Missed school days D=Missed classes/lessons E=Could not do homework F=Could not study for exams G=Could not concentrate H=Other (specify):	A B C D E F G H
L17. Have you ever received a vocational or skill training?	1=Yes 2=No (→ go to M1)	1 2
L18. If you have received a vocational or skill training, what were you trained in? <i>(more than one answer allowed)</i>	A=Agriculture B=Carpentry C=Masonry D=Fitting/mechanics E=Tailoring/dressmaking F=Driving G=Blacksmithing H=Electrical I=Draughtsmanship J=Hairdressing K=Bakery/catering L=Textiles/weaving M=Other (specify):	A B C D E F G H I J L K M
L19. Did you receive a certificate for the training?	1=Yes (specify): 2=No	1 2

M. Nutrition¹⁰ (skip if child is under 10 years)

I am going to ask you some question about your health...

Respondent Number (from A1)		/ _ / _ /
M1. How tall are you without your shoes on?	Height in cm (take measurement) 998=Don't know	/ _ / _ / _ /
M2. How much do you weigh without your shoes on?	Weight in kg (take measurement, if possible) 998=Don't know	/ _ / _ / _ /
M3. During the past 30 days, how often have you gone hungry because there was not enough food in your home?	1=Never 2=Rarely 3=Sometimes 4=Most of the time 5=Always	1 2 3 4 5
M4. During the past 30 days, how many times per day did you usually eat fruit, such as oranges, pineapple, watermelon, banana, guava, pear, sweet apple, mangoes, or pawpaw?	1=Did not eat fruit 2=Less than one time per day 3=1 time per day 4=2 times per day 5=3 times per day 6=4 times per day 7=5 or more times per day	1 2 3 4 5 6 7
M5. During the past 30 days, how many times per day did you usually eat vegetables, such as kontomire, garden eggs, lettuce, cabbage, okra, alefu, bira, ayoyo, or bean leaves?	1=Did not eat vegetables 2=Less than one time per day 3=1 time per day 4=2 times per day 5=3 times per day 6=4 times per day 7=5 or more times per day	1 2 3 4 5 6 7
M6. During the past 7 days, on how many days have you eaten toffee or candy?	Number of days	/ _ /
M7. Have you ever tasted chocolate?	1=Yes 2=No 3=Don't know	1 2 3
M8. During the past 7 days, on how many days have you eaten meat or fish, such as chicken, turkey, duck, or beef?	Number of days	/ _ /
M9. Where does the drinking water come from at your home? <i>(more than one answer allowed)</i>	1=Tap water 2=Bore hole 3=Well 4=Rain water 5=River or dam 6=Other (specify):	1 2 3 4 5 6
M10. If you work away from home, what is the source of drinking water at work? <i>(more than one answer allowed)</i>	1=Tap water 2=Bore hole 3=Well 4=Rain water 5=River or dam 6=Other (specify): 7=Does not work away from home (→ go to N1)	1 2 3 4 5 6 7
M11. If you work away from home, are meals provided to you at work?	1=Yes 2=No (→ go to N1)	1 2

¹⁰ Based on WHO (2007). Ghana GSHS Questionnaire. Global school-based student health survey (GSHS). <http://www.who.int/chp/steps/2007%20Ghana%20GSHS%20Questionnaire.pdf>

M12. If meals are provided to you at work, what do you usually eat?	Specify:.....	
--	---------------	--

N. Maltreatment and Neglect¹¹ (skip if child is under 10 years)

I am now going to ask you some questions about how you are treated by the grown-ups in your life...

Respondent Number (from A1)		/ / /
N1. In the last year, did a grown-up in your life hit, beat, kick, or physically hurt you in any way?	1=Yes (specify) : 2=No 3=I don't want to answer	1 2 3
N2. In the last year, did you get scared or feel really bad because grown-ups in your life called you names, said mean things to you, or said they didn't want you?	1=Yes (specify) : 2=No 3=I don't want to answer	1 2 3
N3. When someone is neglected, it means that the grown-ups in their life didn't take care of them the way they should. They might not get them enough food, take them to the health center or hospital when they are sick, or make sure they have a safe place to stay. In the last year, did you get neglected?	1=Yes (specify) : 2=No 3=I don't want to answer	1 2 3
N4. Sometimes a family fights over where a child should live. In the last year, did a parent take, keep, or hide you to stop you from being with another parent?	1=Yes (specify) : 2=No 3=I don't want to answer	1 2 3
N5. In the last year, were you made to go somewhere by someone who you thought might hurt you?	1=Yes (specify) : 2=No 3=I don't want to answer	1 2 3
N6. In the last year, were you hit or attacked because of your tribe, ethnic group, religion, or where your family comes from? Or because of a physical problem you have?	1=Yes (specify) : 2=No 3=I don't want to answer	1 2 3
N7. How would you describe your relationship with your birth father in the past year?	1=Good (→ go to N9) 2=Bad 3=Other (specify): (→ go to N9) 4=Father deceased (→ go to N9) 5=No contact (→ go to N9) 6=I don't want to answer (→ go to N9)	1 2 3 4 5 6
N8. Since you say your relationship with your birth father has not been good, what were the reasons? <i>(read list and mark affirmative answers)</i>	1=Neglect 2=Abuses verbally 3=Abuses physically 4=Wants too much work done 5=Other (specify):	1 2 3 4 5

¹¹ Based on Hamby, S.L., Finkelhor, D., Ormrod, R., Turner, H. Juvenile Victimization Questionnaire (JVQ), Crimes Against Children Research Center, University of New Hampshire, Durham.
http://www.unh.edu/ccrc/juvenile_victimization_questionnaire.html

N9. How would you describe your relationship with your birth mother in the past year?	1=Good (→ go to N11) 2=Bad 3=Other (specify): (→ go to N11) 4=Mother deceased (→ go to N11) 5=No contact (→ go to N11) 6=I don't want to answer (→go to N11)	1 2 3 4 5 6
N10. Since you say your relationship with your birth mother has not been good, what were the reasons? <i>(read list and mark affirmative answers)</i>	1=Neglect 2=Abuses verbally 3=Abuses physically 4=Wants too much work done 5=Other (specify):	1 2 3 4 5
N11. If you have been working for someone other than your birth mother or father in the past year, how would you describe your relationship with the person you worked for?	1=Good (→ go to O1) 2=Bad 3=Other (specify): (→ go to O1) 4= Did not work for somebody other than parents (→ go to O1) 5=I don't want to answer (→go to O1)	1 2 3 4 5
N12. Since you say your relationship with this person has not been good, what were the reasons? <i>(read list and mark affirmative answers)</i>	1=Neglect 2=Wants too much work done 3=Pays poorly 4=Does not pay on time 5=Does not pay at all 6=Inadequate food 7=Abuses verbally 8=Abuses physically 9=Other (specify): 10=I don't want to answer	1 2 3 4 5 6 7 8 9 10

O. Life Satisfaction¹² (skip if child is under 10 years)

I am now going to ask you some questions about your life...

Respondent Number (from A1)		/ / /
O1. How happy are you with your life as a whole?	10=Very happy 7.5=Happy 5=Not happy or sad 2.5=Sad 0=Very sad	10 7.5 5 2.5 0
O2. How happy are you about the things you have?	10=Very happy 7.5=Happy 5=Not happy or sad 2.5=Sad 0=Very sad	10 7.5 5 2.5 0
O3. How happy are you with your health?	10=Very happy 7.5=Happy 5=Not happy or sad 2.5=Sad 0=Very sad	10 7.5 5 2.5 0
O4. How happy are you with the things you want to be good at?	10=Very happy 7.5=Happy 5=Not happy or sad 2.5=Sad 0=Very sad	10 7.5 5 2.5 0

¹² Based on Cummins, Robert A., Lau, Anna L.D. (2005). Personal Wellbeing Index – School Children (PWI-SC). 3rd Edition. School of Psychology, Deakin University, Australia.

O5. How happy are you about getting on with the people you know?	10=Very happy 7.5=Happy 5=Not happy or sad 2.5=Sad 0=Very sad	10 7.5 5 2.5 0
O6. How happy are you about how safe you feel?	10=Very happy 7.5=Happy 5=Not happy or sad 2.5=Sad 0=Very sad	10 7.5 5 2.5 0
O7. How happy are you about doing things away from your home?	10=Very happy 7.5=Happy 5=Not happy or sad 2.5=Sad 0=Very sad	10 7.5 5 2.5 0
O8. How happy are you about what may happen to you later on in your life?	10=Very happy 7.5=Happy 5=Not happy or sad 2.5=Sad 0=Very sad	10 7.5 5 2.5 0
O9. How happy are you about the work that you do in agriculture?	10=Very happy (→ go to O11) 7.5=Happy (→ go to O11) 5=Not happy or sad 2.5=Sad 0=Very sad 99=I do not perform work in agriculture (→ go to O11)	10 7.5 5 2.5 0 99
O10. Why are you not happy about the work that you do in agriculture? <i>(more than one answer allowed)</i>	A=Work too tiring or difficult B=Guardian/employer too demanding C=Cannot go to school D=Makes me feel sick E=Wages too low F=No future in this work G=Do not get paid H=Other (specify): I=Don't know	A B C D E F G H I
O11. How happy are you about the economic activities other than agriculture that you are doing?	10=Very happy (→ go to O13) 7.5=Happy (→ go to O13) 5=Not happy or sad 2.5=Sad 0=Very sad 99=I do not perform economic activities other than agriculture (→ go to O13)	10 7.5 5 2.5 0 99
O12. Why are you not happy about the other economic activities that you are doing? <i>(more than one answer allowed)</i>	A=Work too tiring or difficult B=Guardian/employer too demanding C=Cannot go to school D=Makes me feel sick E=Wages too low F=No future in this work G=Do not get paid H=Other (specify): I=Don't know	A B C D E F G H I

O13. How happy are you with the household work that you are doing?	10=Very happy (→ go to P1) 7.5=Happy (→ go to P1) 5=Not happy or sad 2.5=Sad 0=Very sad 99=I do not perform household work (→ go to P1)	10 7.5 5 2.5 0 99
O14. Why are you not happy with the household work that you are doing? <i>(more than one answer allowed)</i>	A=Work too tiring or difficult B=Guardian/employer too demanding C=Cannot go to school D=Makes me feel sick E=Wages too low F=No future in this work G=Do not get paid H=Other (specify): I=Don't know	A B C D E F G H I

P. Project Activities (skip if child is under 10 years)

Respondent Number (from A1)		/ / /
P1. Sometimes projects are being carried out in support of working children, school children and other groups of children. Have you ever participated in a project?	1=Yes 2=No (→ go to P9)	1 2
P2. Do you know the name of the project?	1=Yes (specify): 2=No	1 2
P3. Do you know the name of the organization that worked on the project?	1=Yes (specify):..... 2=No	1 2
P4. Where was the project done?	1=Yes (specify): 2=Don't know	1 2
P5. What did you participate in?	Specify:	
P6. When did you participate in the project?	Year 9998=Don't know	/ _ / _ / _ / _ /
P7. What did you enjoy about or get out of participating in the project?	Specify:	
P8. What did you not enjoy about or get out of participating in the project?	Specify:	
P9. Have heard about child labor?	1=Yes 2=No (→ go to Q1) 3=Don't know	1 2 4
P10. What have you heard about child labor?	Specify:	
P11. Can you tell us from whom did you hear about child labor?	Specify:	
P12. What is your opinion about what you have heard about child labor?	Specify:	

Q. Additional Questions on HIV/AIDS¹³ (skip if child is under 10 years)

My final questions are about what you know about HIV/AIDS...

Respondent Number (from A1)		/ / /
Q1. Have you ever heard of the virus HIV or the illness AIDS?	1=Yes 2=No (→end of interview)	1 2
Q2. Who told you about it?	A=Parents B=Friends C=Relatives D=Media E=In school F=Medical facilities G=In the workplace H=Other (specify):	A B C D E F G H
Q3. Only if the response to Q2 is “school”: Are there prevention or intervention programs within your school? <i>(read list and mark affirmative answers)</i>	A=Information (brochures, posters, etc.) B=Discussion/education (lessons, workshop, etc.) C=Availability of condoms D=Voluntary testing E=Counseling F=Care and support services G=Antiretroviral treatment H=Other (specify):	A B C D E F G H
Q4. Only if the response to Q2 is “workplace”: Are there prevention or intervention programs within your workplace? <i>(read list and mark affirmative answers)</i>	A=Information (brochures, posters, etc.) B=Discussion/education (lessons, workshop, etc.) C=Availability of condoms D=Voluntary testing E=Counseling F=Care and support services G=Antiretroviral treatment H=Other (specify):	A B C D E F G H
Q5. Is there anything a person can do to avoid getting HIV, the virus that causes AIDS?	1=Yes 2=No 3=Don't know	1 2 3
Q6. Do you think a person can get infected with AIDS through supernatural means?	1=Yes 2=No 3=Don't know	1 2 3
Q7. Only if interviewer deems that the age of the child is appropriate: Can people protect themselves from the AIDS virus by using a condom?	1=Yes 2=No 3=Don't know	1 2 3
Q8. Can a person get AIDS from mosquito bites?	1=Yes 2=No 3=Don't know	1 2 3
Q9. Is it possible for a healthy-looking person to be HIV-positive?	1=Yes 2=No 3=Don't know	1 2 3
Q10. Can HIV be transmitted from mother to child?	1=Yes 2=No 3=Don't know	1 2 3
Q11. Do you know of a place where you can go to get such a test to see if you have AIDS?	1=Yes 2=No	1 2
Q12. I do not want to know the results, but have you ever been tested to see if you have HIV?	1=Yes 2=No	1 2

¹³ Based on ILO/IPEC (2003). HIV/AIDS and child labour in Zambia: A rapid assessment. Paper No. 5.

Q13. I do not want to know the results of the test, but have you been told the results?	1=Yes 2=No	1 2
Q14. Does your work have any risks to you getting HIV? What are some of the risks?	1=Yes (specify): 2=None	1 2

We have now come to the end of the interview, do you want to ask me any questions? I will be happy to answer any question you may want to ask me.

Note question asked: _____

Thank you very much for your answers. We will analyze your answers along with the answers from the other children we are talking to and put the results in a report. Thank you again.

Tulane University
GHANA CHILD LABOR SURVEY
Infrastructure Checklist¹

November 8, 2007

1. REGION/ / /	4. ENUMERATION AREA...../ / / / /
2. DISTRICT...../ / /	5. VILLAGE/TOWN...../ / /
3. COCOA DISTRICT...../ / /	
6. NAME OF VILLAGE/TOWN/SETTLEMENT.....	
7. NAME OF INTERVIEWER	
8. NAME OF SUPERVISOR	
9. DATE Day / / / Month / / / Year / / / / /	

**TO BE FILLED OUT FOR EACH TOWN, VILLAGE AND SETTLEMENT IN THE SELECTED
ENUMERATION AREAS.**

A1. Village/Town/ Settlement Number		/ / /
A2. Size of Village/Town/Settlement	Estimate of number of households Estimate of number of people	/ / / / / / / / / / / / /
A3. Types of housing <i>(Circle all that apply. Underline the most common types of housing.)</i>	A=Modern houses B=Simple houses C=Compound houses (rooms) D=Huts/several small buildings (same compound) E=Living quarters attached to office/shop/work place F=Improvised home (kiosk, container, tent) G=Other (specify):	A B C D E F G
A4. Types of roads <i>(Circle all that apply. Underline the most common types of roads.)</i>	A=Hard surfaced (asphalt, concrete) B=Improved (suitable for high speeds in certain sections, drivable in all seasons) C=Partially improved (may be impracticable in bad weather) D=Earth roads (drivable at slow speeds, impracticable in bad weather) E=Tracks (not suitable for most vehicles)	A B C D E
A5. Sources of water <i>(Circle all that apply. Underline the most common sources of water.)</i>	A=Pipe-borne inside house B=Pipe-borne outside house C=River/stream D=Bore-hole/tubewell E=Well F=Dug out/pond/lake/dam G=Rain water H=Other (specify):	A B C D E F G H
A6. Sources of cooking fuel <i>(Circle all that apply. Underline the most common sources of cooking fuel.)</i>	A=Wood B=Charcoal C=Coconut husk D=Kerosene E=Gas F=Millet straw G=Other (specify):	A B C D E F G
A7. Primary source of lighting <i>(Circle all that apply. Underline the most common sources of lighting.)</i>	A=Candles B=Kerosene lantern C=Electricity D=Gas lamp E=Solar energy F=No light G=Other (specify):	A B C D E F G

¹ Prepared by Elke de Buhr and William Bertrand, Payson Center for International Development, Tulane University based on previous instruments and with input from partners.

A8. Number of primary schools within walking distance	Number of schools	/ _ / _ /
A9. Closest primary school Address:	1=less than 1 km 2=1 to 2 km 3=2 to 5 km 4=5 to 20 km 5=more than 20 km ----- School in selected enumeration area? 1=Yes 2=No	1 2 3 4 5 ----- 1 2
A10. Number of secondary schools within walking distance	Number of JSS Number of SSS	/ _ / _ / / _ / _ /
A11. Closest secondary school (JSS) Address:	1=less than 1 km 2=1 to 2 km 3=2 to 5 km 4=5 to 20 km 5=more than 20 km ----- School in selected enumeration area? 1=Yes 2=No	1 2 3 4 5 ----- 1 2
A12. Closest health center Address:	1=less than 1 km 2=1 to 2 km 3=2 to 5 km 4=5 to 20 km 5=more than 20 km ----- Health center in selected enumeration area? 1=Yes 2=No	1 2 3 4 5 ----- 1 2
A13. Closest hospital Address:	1=less than 2 km 2=2 to 5 km 3=5 to 20 km 4=20 to 50 km 5=more than 50 km ----- Hospital in selected enumeration area? 1=Yes 2=No	1 2 3 4 5 ----- 1 2
A14. Access to communication <i>(Circle all that are available in town/village/settlement.)</i>	A=Complete cell phone coverage B=Partial cell phone coverage C=Communication center D=Access to a working phone E=Internet café F=Other (specify): G=None	A B C D E F G
A15. Access to transportation <i>(Circle all that are available in town/village/settlement.)</i>	A=Bus B=Mini bus/Tro-tro C=Taxi D=Other (specify): E=None	A B C D E
A16. Closest police station Address:	1=less than 2 km 2=2 to 5 km 3=5 to 20 km 4=20 to 50 km 5=more than 50 km ----- Police station in selected enumeration area? 1=Yes 2=No	1 2 3 4 5 ----- 1 2

Tulane University

**GHANA CHILD LABOUR SURVEY
Teacher Interview¹**

November 8, 2007

01. REGION/ / /	04. ENUMERATION AREA...../ / / / /
02. DISTRICT...../ / /	05. VILLAGE/TOWN...../ / /
03. COCOA DISTRICT...../ / /	
SCHOOL	
6b. SCHOOL NUMBER...../ / / / /	
7b. NAME OF SCHOOL	
8b. PHONE NUMBER	
9. NAME OF INTERVIEWER	
10. NAME OF SUPERVISOR	
11. INTERVIEW LANGUAGE	
12. DATE OF INTERVIEW Day / / / Month / / / Year / / / / /	
13. START OF INTERVIEW Hour / / / Minute / / /	
14. END OF INTERVIEW Hour / / / Minute / / /	

BEFORE THE START OF THE INTERVIEW, FOLLOW THE INFORMED CONSENT PROCEDURES.

Title: Child Labor in the Cocoa Sector
Performance Sites: Cote d'Ivoire and Ghana
Investigators: William E. Bertrand and Elke de Buhr
Sponsor: US Department of Labor

Purpose:

The purpose of this study is to learn more about the work and living conditions of children and their families in the cocoa-growing regions. We hope this will help create projects in support of children in your country and in other West African countries. More than 1,000 individuals will be interviewed as part of this research in your country. We will interview both children and the adults that provide care for them. We expect that the interview with you will take about 30 minutes, and that each interview with a child will take between 45 and 60 minutes.

Procedures:

You will be interviewed first. Afterwards, we would like to interview some or all of the children you are taking care of. We would like to interview children between 5 and 17 years of age. The interviews will cover topics such as living conditions, characteristics of work activities and access to education. We will interview one person at a time. No third person will be allowed to listen when a child is being interviewed but a second person may be in the same room with the child who is not listening but can witness the interview. This person can be any adult or child that the child would like to attend except a parent/guardian.

Potential Risks:

The interviews will take some time and some children may get tired, bored or distracted. Some may also get upset when difficult questions are asked. We will take maximum care to ensure that if this happens that the needs of the child will take precedence over this interview. The children will be allowed to take breaks at any time during the interview. You and the children may also decide to interrupt or discontinue an interview at any point in time.

¹ Prepared by William Bertrand and Elke de Buhr based on ILO National Child Labor Questionnaires and other instruments. Valuable input was provided by team members, partners and other stakeholders.

Potential Benefits:

This study will generate knowledge about working and living conditions in rural communities in your country. It will provide systematic information on how children live and the details on the work they perform. This will help develop programs in support of children and their families in your country and find solutions to common problems.

Voluntary Participation:

Participation in the research is voluntary. You may choose to participate or not. If you choose to participate but later change your mind, you may withdraw from the study at any time. Similarly, the children you are taking care of may refuse to participate or discontinue an interview at any point in time. Refusal to participate or withdrawal from the study will not result in penalty or any loss of benefits to which you or the children you are taking care of are otherwise entitled.

Confidentiality:

The interviews will be kept confidential. Your name of identity will be shared with absolutely no one, even though the information you offer will be shared with the other researchers in this study when we are analyzing the answers. It is important for you to understand that nobody will know what you and the children you are taking care of have answered. No adult or child will be identified in any way when study results are published.

Costs/Payment:

You will not be paid for participating in this research.

Study Outcome:

The findings of the research will be made available to you and your community. If you want you will be able to access the report on the Internet (<http://childlabor-payson.org/>). You can access the Internet at an Internet café in any of the bigger cities in your country. You may also call us for information about the findings of the study.

Questions:

If you have questions about the research, you may call Dr. Elke de Buhr at +504-314-2716 in New Orleans, USA. If you have any questions about your rights as a research subject, please call the IRB Compliance Officer at +504-988-3229 at Tulane University in New Orleans, USA. *[Local numbers will be added.]*

I have read this consent form and volunteer to participate in this research.

Subject Date

Parent/Legally Authorized Representative (if applicable) Date

Person Obtaining Consent Date

Thank you for agree to participate in this interview. If at any time you do not understand a word we use or a question we are asking, please let me know. Remember you can stop this interview at any time. No one will know what you tell us.

A. Respondent Characteristics

A1. School Number		/ / /
A2. Name of respondent	
A3. Age of respondent	Age in years (if unknown, estimate)	/ / / /
A4. Gender of respondent	1=Male 2=Female	1 2

A5. What is your function at the school?	1=Head master/head teacher 2=Teacher 3=Other (specify):	1 2 3
A6. How long have you been at this school?	Number of years	/_/_/_/
A7. What is the highest level of education you have received?	1=None 2=Elementary 3=JSS 4=SSS 5=College/University 6=Other (specify):	1 2 3 4 5 6

B. School Characteristics

School Number (from A1)		/_/_/_/
B1. When was this school established?	Year 9998=Don't know	/_/_/_/_/_/
B2. What levels of education are taught at this school? <i>(more than one answer allowed)</i>	A=Elementary B=JSS C=SSS D=Other (specify):	A B C D
B3. Is this school a public, private or faith-based school? <i>(more than one answer allowed)</i>	A=Public B=Private C=Faith-based (specify): D=Other (specify):	A B C D
B4. How many teachers are in this school?	Number of teachers	/_/_/_/
B5. Does this school charge fees from the students? What kind of fees? <i>(more than one answer allowed)</i>	A=Tuition fees B=Registration fees C=Facility user fees D=Other fees (specify): E=None (→ go to B7)	A B C D E
B6. How much does this school charge to each student for an academic year?	Amount in old Cedis (per year)	/_/_/_/_/_/_/_/_/_/
B7. How would you describe the school facility/building(s)?	1=Concrete building(s) 2=Pavilion(s) 3=Mud building(s) 4=Open space, no building 5=Other (specify):	1 2 3 4 5
B8. How many classrooms does the school have?	Number of classrooms	/_/_/_/
B9. What type of toilet is available to the school?	1=Inside building 2=Outside building 3=None (→ go to B12)	1 2 3
B10. Are the toilets in the school equipped with running water?	1=Yes 2=No	1 2
B11. Do girls and boys have separate toilets in this school?	1=Yes 2=No 3=There are only boys at this school 4=There are only girls at this school	1 2 3 4

B12. What is the main source of drinking water in the school? <i>(more than one answer allowed)</i>	A=Pipe-borne inside building B=Pipe-borne outside building C=River/stream D=Bore-hole/tubewell E=Well F=Dug out/pond/lake/dam G=Rain water H=Other (specify):	A B C D E F G H
B13. What is the main source of lighting in the school? <i>(more than one answer allowed)</i>	A=Candles B=Kerosene lantern C=Electricity D=Gas lamp E=Solar energy F=No light G=Other (specify):	A B C D E F G
B14. What type of kitchen is available at this school?	1=Inside building 2=Outside building 3=None (→ go to B14)	1 2 3
B15. What is the main source of cooking fuel for this kitchen? <i>(more than one answer allowed)</i>	A=Wood B=Charcoal C=Coconut husk D=Kerosene E=Gas F=Millet straw G=Other (specify):	A B C D E F G
B16. Are meals provided to the students?	1=Yes 2=No (→ go to B20)	1 2
B17. How many meals are provided per day?	1=1 meal 2=2 meals 3=3 meals 4=Other (specify):	1 2 3 4
B18. Are the students charged for the meals? How much?	1=Yes 2=Included in school fees 3=Meals free (→ go to B20)	1 2 3
B19. How much are the students charged for the meals per year?	Amount in old Cedis (per year)	/ _ / _ / _ / _ / _ / _ / _ /
B20. How many elementary schools are there in this area within walking distance?	Number of elementary schools	/ _ _ /
B21. What do you estimate is the total number of students in this area that are attending elementary schools?	Number of students (elementary) 999998=Don't know	/ _ _ _ / _ _ _ /
B22. How many secondary schools (JSS/SSS) are there in this area within walking distance?	Number of JSS Number of SSS	/ _ _ / / _ _ /
B23. What do you estimate is the total number of students in this area that are attending secondary (JSS/SSS) schools?	Number of students (JSS) Number of students (SSS) 999998=Don't know	/ _ _ / _ _ / _ _ / / _ _ / _ _ / _ _ /

C. Student Population Characteristics

School Number (from A1)		/ _ / _ /
C1. How many students (boys and girls) are attending this school?	Number of girls Number of boys 998=Don't know	/ _ / _ / / _ / _ /
C2. What is the average number of students for each class at this school?	Number of students 98=Don't know	/ _ / _ /
C3. What number of students has repeated a grade at this school at the end of the last school year?	Number of students 98=Don't know	/ _ / _ / _ /
C4. In your area, what are the most important reasons for children to miss classes?	Specify:	
C5. In your area, what are the most important reasons for children to drop out of school?	Specify:	
C6. In your area, what are the most important reasons for children to never attend school?	Specify:	
C7. Are any of these major reasons that keep children from attending school in your area? <i>(read list and mark affirmative answers)</i>	A=Illness and disability B=School too far C=Family cannot afford schooling D=Family does not allow schooling E=Children poor in studies/not interested in school F=Education not considered valuable G=School not safe H=Children have to learn a job I=Children work for pay or in a family business or on a farm J=Children help at home with household chores K=Bad weather conditions L=Family emergencies M=Children have to travel N=Other (specify): O=None of these	A B C D E F G H I J K L M N O
C8. What percentage of your students do you estimate perform work in agriculture in addition to attending school?	Estimated percentage 98=Don't know	/ _ / _ /
C9. What percentage of your students do you estimate perform work on a cocoa farm in addition to attending school?	Estimated percentage 98=Don't know	/ _ / _ /
C10. What percentage of your students do you estimate perform economic activities other than agriculture in addition to attending school?	Estimated percentage 98=Don't know	/ _ / _ /
C11. What percentage of your students do you estimate perform household work in addition to attending school?	Estimated percentage 98=Don't know	/ _ / _ /

<p>C12. Are any of the following activities sometimes performed by students attending this school?</p> <p><i>(read list and mark affirmative answers)</i></p>	<p>A=Run or do any kind of business, big or small, for himself/herself or with one or more partners B=Do any work for a wage, salary, commission or any payment in kind (excluding domestic work) C=Do any work as a domestic worker for a wage, salary or any payment in kind D=Help unpaid in a household business of any kind E=Do any construction or major repair work on his/her own home, plot, or business, or those of the household F=Catch any fish, prawns, shells, wild animals or other food for sale or household food G=Fetch water or collect firewood for household use H=Produce any other good for this household use I=Other (specify): J=None</p>	<p>A B C D E F G H I J</p>
<p>C13. If students are engaged in economic activities in addition to attending school, in your experience does this affect their attendance or studies?</p>	<p>1=Yes 2=No (→ go to C15) 3=Don't know (→ go to C15)</p>	<p>1 2 3</p>
<p>C14. How is education affected by the economic activities that students perform?</p>	<p>Specify:</p>	
<p>C15. Is education affected by the economic activities that students perform in any of the following ways?</p> <p><i>(read list and mark affirmative answers)</i></p>	<p>A=Injuries, illnesses or poor health B=Missed school days C=Missed lessons D=Missed tests E=Could not do homework F=Could not concentrate G=Other (specify): H=None</p>	<p>A B C D E F G H</p>

D. Curriculum and School Garden

<p>School Number (from A1)</p>		<p>/ / /</p>
<p>D1. Does this school teach agricultural skills?</p>	<p>1=Yes 2=No (→ go to D3)</p>	<p>1 2</p>
<p>D2. If this school teaches agricultural skills, what is being taught?</p> <p><i>(more than one answer allowed)</i></p>	<p>A=Plant science B=Crop science C=Soil science D=Other (specify):</p>	<p>A B C D</p>
<p>D3. Does this school have a school garden or farm maintained by the students?</p>	<p>1=Yes 2=No (→ go to D5)</p>	<p>1 2</p>
<p>D4. What is the purpose of this school garden or farm?</p> <p><i>(more than one answer allowed)</i></p>	<p>A=Training/education B=Producing food crops C=Generating income D=Other (specify):</p>	<p>A B C D</p>
<p>D5. Do you yourself own/rent a farm or field in this area?</p>	<p>1=Yes 2=No (→ go to D8)</p>	<p>1 2</p>
<p>D6. Do you yourself own/rent a cocoa farm?</p>	<p>1=Yes 2=No</p>	<p>1 2</p>

D7. Have any of the students in this school helped you on the farm? What have the students been doing?	1=Yes (specify): 2=No	1 2
D8. Does this school address issues of child labor?	1=Yes 2=No (→ end of interview)	1 2
D9. What is understood by child labor in this school?	Specify:	
D10. How is child labor addressed at this school? <i>(more than one answer allowed)</i>	A=As part of the curriculum (specify): B=During meetings of parent-teacher association (specify): C=Other (specify):	A B C
D11. What are some of the student's reactions to learning about child labor?	Specify:	

We have now come to the end of the interview. Is there anything else you like to add or recommend or ask?

Specify: _____

THANK YOU VERY MUCH!

Tulane University

**GHANA CHILD LABOR SURVEY
Health Center Interview¹**

November 8, 2007

01. REGION/___/___/	04. ENUMERATION AREA...../___/___/___/
02. DISTRICT...../___/___/	05. VILLAGE/TOWN...../___/___/
03. COCOA DISTRICT...../___/___/	
HEALTH CENTER	
06. HEALTH CENTER NUMBER...../___/___/___/	
07. ADDRESS.....	
08. PHONE NUMBER	
09. NAME OF INTERVIEWER	
10. NAME OF SUPERVISOR	
11. INTERVIEW LANGUAGE	
12. DATE OF INTERVIEW Day /___/___/ Month /___/___/ Year /___/___/___/	
13. START OF INTERVIEW Hour /___/___/ Minute /___/___/	
14. END OF INTERVIEW Hour /___/___/ Minute /___/___/	

BEFORE THE START OF THE INTERVIEW, FOLLOW THE INFORMED CONSENT PROCEDURES.

A. Respondent Characteristics

A1. Respondent Number		/ / /
A2. Name of respondent	Name:	
A3. Age of respondent	Age in years (<i>if unknown, estimate</i>)	/ / / /
A4. Gender of respondent	1=Male 2=Female	1 2
A5. What is the highest level of education you have received?	1=None 2=Elementary 3=JSS 4=SSS 5=College/University 6=Other (specify):	1 2 3 4 5 6
A6. What medical training have you received? <i>(more than one answer allowed)</i>	A=None B=Medical assistant C=Nurse D=Pharmacist E=Dentist F=Physician G=Other (specify):	A B C D E F G
A7. What is your current position at the health center?	1=Administrator 2=Medical assistant 3=Nurse 4=Pharmacist 5=Dentist 6=Physician 7=Other (specify):	1 2 3 4 5 6 7

¹ Prepared by William Bertrand and Elke de Buhr, Payson Center for International Development, Tulane University. Valuable input was provided by team members and partners.

A8. How long have you been working at this health center?	Number of years	/ _ / _ /
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B. Health Center Characteristics

Respondent Number (from A1)		/ _ / _ /
B1. When was this health center established?	Year 9998=Don't know	/ _ / _ / _ /
B2. How is this health center financed? <i>(more than one answer allowed)</i>	A=Public B=Private C=NGO (specify): D= International organization (specify): E=Church (specify): F=Other (specify):	A B C D E F
B3. How many staff members does this health center have? <i>(read list and specify numbers)</i>	Number of medical assistants Number of nurses Number of pharmacists Number of dentists Number of physicians Other (specify):	/ _ / _ / / _ / _ /
B4. How would you describe the health center facility/building?	1=Concrete building(s) 2=Pavilion(s) 3=Mud building(s) 4=Open space, no building 5=Other (specify):	1 2 3 4 5
B5. How many rooms does the health center have?	Number of rooms	/ _ / _ /
B6. How many beds does the health center have?	Number of beds	/ _ / _ / _ /
B7. What is the main source of drinking water at the health center? <i>(more than one answer allowed)</i>	A=Pipe-borne inside building B=Pipe-borne outside building C=River/stream D=Bore-hole/tubewell E=Well F=Dug out/pond/lake/dam G=Rain water H=Other (specify):	A B C D E F G H
B8. What is the main source of lighting at the health center? <i>(more than one answer allowed)</i>	A=Candles B=Kerosene lantern C=Electricity D=Gas lamp E=Solar energy F=No light G=Other (specify):	A B C D E F G
B9. What type of kitchen is available at this health center?	1=Inside building 2=Outside building 3=None (→ go to B11)	1 2 3
B10. What is the main source of cooking fuel for this kitchen? <i>(more than one answer allowed)</i>	A=Wood B=Charcoal C=Coconut husk D=Kerosene E=Gas F=Millet straw G=Other (specify):	A B C D E F G

B11. Are meals provided to patients that stay at the health center?	1=Yes 2=No (→ go to B15)	1 2
B12. How many meals are provided per day?	1=1 meal 2=2 meals 3=3 meals 4=Other (specify):	1 2 3 4
B13. Are the patients charged for the meals?	1=Yes 2=Included in fees 3=Meals free (→ go to B15)	1 2 3
B14. How much are the patients charged for the meals per day?	Amount in old Cedis (per day)	/ _ / _ / _ / _ /
B15. What type of toilet is available to the health center?	1=Inside building 2=Outside building 3=None (→ go to B17)	1 2 3
B16. Are the toilets at the health center equipped with running water?	1=Yes 2=No	1 2
B17. What technology and equipment does the health center have? <i>(read list and specify numbers)</i>	Number of stethoscopes Number of sphygmomanometers (blood pressure) Number of scales Number of thermometers Number of telephones Number of computers Number of printers Number of cars/trucks Other (specify):	/ _ / _ / / _ / _ /
B18. Does the health center carry out any basic laboratory tests or medical trials?	Specify:	
B19. On average, how many patients does a physician see per day at this health center?	Number of patients 998=Don't know 999=No physician	/ _ / _ / _ /
B20. On average, how many patients does a nurse see per day at this health center?	Number of patients 998=Don't know	/ _ / _ / _ /
B21. Where is the hospital closest to this health center located?	Name of town:	
B22. How far from this health center is the next closest hospital?	Distance in km 998=Don't know	/ _ / _ / _ /
B23. What do you do if a patient requires hospital care?	Specify:	

C. Patient Population Characteristics

Respondent Number (from A1)		/ / /
C1. On average, how many patients are visiting this health center per day?	Number of patients	/ / / / /
	9998=Don't know	
C2. On average, how many of these patients are children under 5?	Number of patients	/ / / / /
	9998=Don't know	
C3. On average, how many of these patients are children between 5 and 17?	Number of patients	/ / / / /
	9998=Don't know	
C4. How many patients have visited this health center in the last calendar year?	Number of patients	/ / / / / / / / /
	999998=Don't know	
C5. How many children under 5 years have visited this health center in the last calendar year?	Number of patients	/ / / / / / / / /
	999998=Don't know	
C6. How many children between 5 and 17 years have visited this health center in the last calendar year?	Number of patients	/ / / / / / / / /
	999998=Don't know	

D. Common Health Problems, Injuries and Methods of Treatment

D1. How often do you experience the following health problems in patients under 5 years at this health center?

	Health problem	Experienced in patients <u>under 5 years</u> (circle one)
D1a	Diarrhea	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D1b	Vomiting	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D1c	Fever	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D1d	Infections of respiratory tracts	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D1e	Malaria	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D1f	Typhoid fever	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D1g	Anemia	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D1h	Cholera	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D1i	Eye problems	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D1j	Stomach problems	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D1k	Breathing problems	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D1l	Extreme fatigue	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D1m	Guinea worm	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D1n	Other (specify):	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)

D2. How often do you experience the following health problems in patients between 5 and 11 years at this health center?

	Health problem	Experienced in patients <u>between 5 and 11 years</u> (circle one)
D2a	Diarrhea	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D2b	Vomiting	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D2c	Fever	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D2d	Infections of respiratory tracts	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D2e	Malaria	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D2f	Typhoid fever	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D2g	Anemia	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D2h	Cholera	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D2i	Eye problems	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D2j	Stomach problems	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D2k	Breathing problems	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D2l	Extreme fatigue	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D2m	Guinea worm	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D2n	Other (specify):	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)

D3. How often do you experience the following health problems in patients between 12 and 17 years at this health center?

	Health problem	Experienced in patients <u>between 12 and 17 years</u> (circle one)
D3a	Diarrhea	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D3b	Vomiting	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D3c	Fever	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D3d	Infections of respiratory tracts	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D3e	Malaria	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D3f	Typhoid fever	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D3g	Anemia	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D3h	Cholera	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D3i	Eye problems	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D3j	Stomach problems	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D3k	Breathing problems	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D3l	Extreme fatigue	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D3m	Guinea worm	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D3n	Other (specify):	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)

D4. How often do you experience the following injuries in patients under 5 years at this health center?

	Injury type	Experienced in patients <u>under 5 years</u> (circle one)
D4a	Wounds/cuts	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D4b	Broken bones	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D4c	Snake bites	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D4d	Insect bites (specify):	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D4e	Back pains	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D4f	Muscle pains	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D4g	Other pains (specify):	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D4h	Burns (specify):	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D4i	Skin itchiness or scratches	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D4j	Other (specify):	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)

D5. How often do you experience the following injuries in patients between 5 and 11 years at this health center?

	Injury type	Experienced in patients <u>between 5 and 11 years</u> (circle one)
D5a	Wounds/cuts	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D5b	Broken bones	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D5c	Snake bites	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D5d	Insect bites (specify):	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D5e	Back pains	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D5f	Muscle pains	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D5g	Other pains (specify):	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D5h	Burns (specify):	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D5i	Skin itchiness or scratches	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D5j	Other (specify):	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)

D6. How often do you experience the following injuries in patients between 12 and 17 years at this health center?

	Injury type	Experienced in patients <u>between 12 and 17 years</u> (circle one)
D6a	Wounds/cuts	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D6b	Broken bones	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D6c	Snake bites	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D6d	Insect bites (specify):	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D6e	Back pains	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D6f	Muscle pains	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D6g	Other pains (specify):	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)

D6h	Burns (specify):	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D6i	Skin itchiness or scratches	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D6j	Other (specify):	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)

D7. How often do children between 5 and 17 years get injured in this community as part of any of the following activities?

	Activity type	Experienced in children <u>between 5 and 17 years</u> (circle one)
D7a	Agriculture (specify):	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D7b	Economic activity other than agriculture (specify):	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D7c	Household work (specify):	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D7d	School (specify):	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D7e	Play (specify):	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D7f	Transport/traffic (specify):	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D7g	Other (specify):	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)

D8. If children are ill or injured, how often are the following methods of treatment used by people in this community?

	Treatment type	Used by people in this community (circle one)
D8a	First aid	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D8b	Self medication	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D8c	Nurse (health center-based)	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D8d	Doctor/nurse (hospital-based)	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D8e	Chemist (drug store-based)	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D8f	Herbal	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D8g	Spiritualist (religious)	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D8h	Fetish (traditional)	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D8i	Other (specify):	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D8j	Child receives no treatment	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)

D9. If children are ill or injured in this community, how often is their treatment financed in any of the following ways?

	Method of financing	Used by people in this community (circle one)
D9a	Parents/guardians	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D9b	Other relative	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D9c	Child pays for him/herself	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D9d	Employer	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D9e	Family health insurance	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)

D9f	Treatment is provided for free by health center	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D9g	Other (specify):	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)
D9h	Nobody pays for the child, child does not receive treatment	very often (4) – often (3) – sometimes (2) – rarely (1) – never (0)

E. Health Problems and Injuries in Agriculture

Respondent Number (from A1)		/ / /
E1. What are the most common health problems experienced by children working in agriculture in your community?	Specify:	
E2. What are the most common injuries experienced by children working in agriculture in your community?	Specify:	

E3. How often do you experience the following health problems in children who are working in agriculture at this health center?

	Health problem	Experienced in children <u>working in agriculture</u> (circle one)
E3a	Diarrhea	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E3b	Vomiting	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E3c	Fever	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E3d	Infections of respiratory tracts	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E3e	Malaria	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E3f	Typhoid fever	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E3g	Anemia	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E3h	Cholera	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E3i	Eye problems	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E3j	Stomach problems	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E3k	Breathing problems	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E3l	Extreme fatigue	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E3m	Guinea worm	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E3n	Other (specify):	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)

E4. How often do you experience the following injuries in children who are working in agriculture at this health center?

	Injury type	Experienced in children <u>working in agriculture</u> (circle one)
E4a	Wounds/cuts	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E4b	Broken bones	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E4c	Snake bites	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E4d	Insect bites (specify):	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E4e	Back pains	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E4f	Muscle pains	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E4g	Other pains (specify):	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E4h	Burns (specify):	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E4i	Skin itchiness or scratches	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E4j	Other (specify):	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)

E5. How often do children working in agriculture suffer health impacts from any of the following exposures?

	Exposure type	Experienced in children <u>working in agriculture</u> (circle one)
E5a	Injury from carrying heavy loads	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E5b	Injury from dust or dangerous fumes	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E5c	Injury from fire, gas or flames	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E5d	Injury from very hot weather	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E5e	Injury from long hours in the direct sun	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E5f	Injury from work at dangerous heights (high up on a trees, etc.)	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E5g	Injury from work in water, like, pond or river	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E5h	Injury/poisoning from spraying of pesticides, insecticides, herbicides	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E5i	Injuries from using a machete or another tool	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E5j	Injury from using machinery such as a sprayer	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
E5k	Other (specify):	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)

E6. Do you experience more injuries in children working in agriculture during the cocoa harvest season than at other times of the year?	1=Yes (specify):	1
	
	
	2=No	2
	3=Don't know	3

E7. What is being done in your community to reduce injuries in children working in agriculture?	Specify:	
E8. What is your advice to (further) reduce injuries in children working in agriculture?	Specify:	

F. Vulnerable Children

F1. I will read a list of different groups of children that may be vulnerable. How often do you see children that belong to any of these groups as patients at this health center?

	Group of children	Among patients at health center (circle one)
F1a	Children that live without their biological father AND mother	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
F1b	Children that are separated from ANY member of their family	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
F1c	Children working in agriculture that stay with an employer that is not a family member	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
F1d	Children working in a sector other than agriculture that stay with an employer that is not a family member	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
F1e	Children working as house help that stay with an employer that is not a family member	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
F1f	Children that have been neglected	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
F1g	Children that have been psychologically abused	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
F1h	Children that have been physically abused	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
F1i	Children that have been sexually abused	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
F1j	Children that are victims to trafficking	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)
F1k	Other (specify):	very often (1) – often (2) – sometimes (3) – rarely (4) – never (5)

<p>F2. Even if you rarely or never see these groups of children at the health center, are you aware of any children in the following conditions that live in your community? How many cases are you aware of?</p> <p>Please provide us with your best estimate.</p> <p><i>(read list and estimate numbers)</i></p>	Number of children that live without their biological father AND mother	/_/_/_/_/_/
	Number of children that are separated from ANY member of their family	/_/_/_/_/_/
	Number of children working in agriculture that stay with an employer that is not a family member	/_/_/_/_/_/
	Number of children working in a sector other than agriculture that stay with an employer that is not a family member	/_/_/_/_/_/
	Number of children working as house help that stay with an employer that is not a family member	/_/_/_/_/_/
	Number of children that have been neglected	/_/_/_/_/_/
	Number of children that have been psychologically abused	/_/_/_/_/_/
	Number of children that have been physically abused	/_/_/_/_/_/
	Number of children that have been sexually abused	/_/_/_/_/_/
	Number of children that are victims to trafficking	/_/_/_/_/_/
Other (specify):	/_/_/_/_/_/	

We have now come to the end of the interview. Is there anything else you like to add or recommend or ask?

Specify: _____

THANK YOU VERY MUCH!

Tulane University
GHANA CHILD LABOR SURVEY
Project Interview¹

November 8, 2007

01. REGION/ / /	04. ENUMERATION AREA...../ / / / /
02. DISTRICT...../ / /	05. VILLAGE/TOWN...../ / /
03. COCOA DISTRICT...../ / /	
PROJECT	
6b. PROJECT NUMBER...../ / / / /	
7b. NAME OF PROJECT	
8b. PHONE NUMBER	
9. NAME OF INTERVIEWER	
10. NAME OF SUPERVISOR	
11. INTERVIEW LANGUAGE	
12. DATE OF INTERVIEW Day / / / Month / / / Year / / / / /	
13. START OF INTERVIEW Hour / / / Minute / / /	
14. END OF INTERVIEW Hour / / / Minute / / /	

BEFORE THE START OF THE INTERVIEW, FOLLOW THE INFORMED CONSENT PROCEDURES FOR INTERVIEWING AND ADULT.

A. Respondent Characteristics

A1. Respondent Number		/ / /
A2. Name of respondent	Name:	
A3. Age of respondent	Age in years (<i>if unknown, estimate</i>)	/ / / /
A4. Gender of respondent	1=Male 2=Female	1 2
A5. What is your position on the project?	1=Director 2=Other (specify):	1 2
A6. How long have you been working on the project?	Number of years	/ / /
A7. What is the highest level of education you have received?	1=None 2=Elementary 3=JSS 4=SSS 5=College/university 6=Other (specify):	1 2 3 4 5 6
A8. What is your previous background and experience that prepared you for your position on the project?	Specify:	

¹Prepared by William Bertrand and Elke de Buhr, Payson Center for International Development, Tulane University. Valuable input was provided by team members and partners.

B. Project Characteristics

Respondent Number (from A1)		/ _ / _ /
B1. What is the name of your project?	Specify:	
B2. When did the project start?	Month Year 9998=Don't know	/ _ / _ / / _ / _ / _ /
B3. When will/did the project end?	Month Year 9998=Don't know	/ _ / _ / / _ / _ / _ /
B4. What is the name of the institution that carries/carried out the project?	Specify:	
B5. What is the name of the institution that finances/financed the project?	Specify:	
B6. How many staff members does/did the project have?	Specify:	
B7. What are the project facilities and equipment (buildings, cars, etc.)?	Specify:	
B8. Where is/was the project carried out?	Specify:	
B9. What activities are/were carried out by the project?	Activity 1: Activity 2: Activity 3: Activity 4: Activity 5: Activity 6:	

<p>B10. How many children have benefitted from the different project activities?</p> <p><i>(Provide as much detail as possible. What groups of children have participated, what was done for them, what did they participate in and for how long, or what did they receive?)</i></p>	<p>Activity 1:</p> <p>.....</p> <p>.....</p> <p>Activity 2:</p> <p>.....</p> <p>.....</p> <p>Activity 3:</p> <p>.....</p> <p>.....</p> <p>Activity 4:</p> <p>.....</p> <p>.....</p> <p>Activity 5:</p> <p>.....</p> <p>.....</p> <p>Activity 6:</p> <p>.....</p> <p>.....</p>	
<p>B11. How many adults have benefitted from the different project activities?</p> <p><i>(Provide as much detail as possible. What groups of adults have participated, what was done for them, what did they participate in and for how long, or what did they receive?)</i></p>	<p>Activity 1:</p> <p>.....</p> <p>.....</p> <p>Activity 2:</p> <p>.....</p> <p>.....</p> <p>Activity 3:</p> <p>.....</p> <p>.....</p> <p>Activity 4:</p> <p>.....</p> <p>.....</p> <p>Activity 5:</p> <p>.....</p> <p>.....</p> <p>Activity 6:</p> <p>.....</p> <p>.....</p>	
<p>B12. How is/was the effectiveness of your project measured?</p>	<p>Specify:</p> <p>.....</p> <p>.....</p> <p>.....</p>	
<p>B13. In your opinion, how effective is/was your project?</p>	<p>Specify:</p> <p>.....</p> <p>.....</p> <p>.....</p>	

B14. What are some constraints or problems that you have encountered in implementing the project?	Specify:	
B15. Can you give me an idea of your annual project budget?	Specify:	
B16. Can you tell me, if you have heard about child labor?	1=Yes 2=No (→ Go to B19) 3=Don't know (→ Go to B19)	1 2 3
B17. What is your personal view on child labor?	Specify:	
B18. Are any of the project activities addressing questions of child labor?	Specify:	
B19. Do you have any additional materials or information about the project that you could share with us?	1=Materials provided 2=Materials not available 3= Other (specify):	1 2 3
B20. Do you have any additional contact information from people that could tell us more about the project?	1=Contact information provided 2=Contact information not available 3= Other (specify):	1 2 3

Please provide any additional contact information here:

Name:
Title:
Address:
Telephone:
Email:

Name:
Title:
Address:
Telephone:
Email:

We have now come to the end of the interview. Is there anything else you like to add or recommend or ask?

Specify: _____

THANK YOU VERY MUCH!

Appendix 14: Industry Comments on Draft Annual Report (Year 2)

Background:

The following document is a response to the draft “Second Annual Report” for the Oversight of Public and Private Initiatives to Eliminate Child Labor in the Cocoa Sector in Côte d'Ivoire and Ghana, prepared by the Payson Center for International Development and Technology Transfer at Tulane University.

This response is submitted on behalf of the following organizations:

- Association of the Chocolate, Biscuit and Confectionery Industries of the EU (CAOBISCO)
- Confectionery Manufacturers Association of Canada (CMAC)
- European Cocoa Association (ECA)
- National Confectioners Association (NCA)
- World Cocoa Foundation (WCF)

Overall Comments:

We appreciate the opportunity to review this draft report. Such a review, in the “draft” stage, is essential for this and other, similar efforts to engage the broadest possible group of interested stakeholders in the discussion.

Without question, The Payson Center has devoted considerable time and effort to the issue of labor practices on cocoa farms in West Africa. The draft report reflects a serious, approach to a complex issue – an approach that we hope will help drive us all towards real, effective, sustainable solutions.

And while we may not agree with each and every finding or recommendation in the report, we applaud the substantive, thorough way in which the report has been prepared.

The issues touched upon in the report are of great urgency to industry, the governments of Côte d'Ivoire and Ghana and other stakeholders. In many cases, the data presented in this draft report is similar to what we have seen in the certification reports from both Côte d'Ivoire and Ghana.

This development is promising, indicating that we are all increasingly focused on the same challenges, the same needs.

With an issue as complex (and sensitive) as the worst forms of child labor, it is essential that we agree on how we describe and evaluate the problems, as well as the solutions.

Our comments on the draft report primarily revolve around how the specific issues involved are characterized; the methodology used in some instances to support the report's conclusions, and specifically the methodology used to evaluate the impact of industry-supported programs.

There are a few areas of particular importance:

Definition of “Rehabilitation of Children Withdrawn from Exploitative Labor”

The draft report analyzes the scope of programs supported by industry and other stakeholders to help children – referred to in the report as the “rehabilitation of children withdrawn from exploitative labor.”

This area is clearly a priority. Helping those children who may be in an exploitative situation, or who are at-risk, is a top concern. We believe, however, that the draft report adopts a too-narrow definition of what constitutes activity and progress in this area.

For example, the most recent certification reports from both Côte d’Ivoire and Ghana identify education as a priority issue in relation to labor practices on cocoa farms.

The reports focus on the education issue for good reason. The lack of educational opportunities, both in terms of the quality of education and its availability, may contribute to children working excessively on the farm; work on the farm may come at the expense of attending school.

Conversely, getting children back into the education system – and then offering them quality, relevant educational opportunities – is critical to any “rehabilitation” effort. Simply put, education is a major part of “rehabilitation.”

Yet the draft Payson Center report does not consider education in looking at industry-supported programs to rehabilitate children (on pages 82-83). Other efforts – such as those undertaken by the Red Cross and UNICEF – are not reviewed, either.

Nor does the Payson Center definition allow for consideration of programs supported by industry that educate farmers on safe, responsible labor practices – education that, in turn, helps “rehabilitate” children by reducing their participation in unsafe tasks. This area, too, was a priority, identified in both the Côte d’Ivoire and Ghana certification reports.

The definition of rehabilitation – as currently adopted in the report – does not reflect the consensus view of the many different stakeholders involved in this effort, and other child labor issues.

The result: a narrow and, ultimately, inaccurate analysis of what is being done to help children in the highly important area of rehabilitation. There are a number of approaches that contribute to improving the quality of life for children found in unacceptable labor situations and we believe that all interventions need to be highlighted.

Given the need for clarity in this important area, we acknowledge and appreciate the Payson Center’s efforts to define key terms and indicators. We would welcome the opportunity to participate in this process.

Survey of Potentially Trafficked Children

We support the Payson Center's efforts to collect data regarding children who may have been trafficked to work on cocoa farms. Industry agrees that this is a highly sensitive, high priority issue, among the most complex to understand and address.

Given the sensitivities and complexities around this issue, the Payson Center's approach and methodology here could benefit from greater transparency. How were these children selected? Where were they found? What, exactly, did the children say?

We also strongly encourage the Payson Center to make available any raw data or transcripts (redacted, as appropriate) from these interviews. When representatives from Save the Children Canada shared (what appears to be) the same data at a June 2008 conference in Toronto, similar, serious questions were raised by attendees from both Côte d'Ivoire and Ghana.

Measurement of Impact on Children

The draft report seeks to measure the impact of industry-supported programs, by asking children in cocoa farming communities if they, to the best of their knowledge, have been affected by one or more of these programs.

Industry seriously questions the effectiveness of this approach. While there are some programs that, without question, impact children in such a way that the child is aware of the program, many others do not.

Would a child be aware of International Cocoa Initiative efforts to train law enforcement and border guards? Do students know that their teacher has been through an industry-supported IFESH training program to improve the quality of education? Does a young child know and understand that they are working on the cocoa fields less frequently because their farming parents participated in an industry-supported education effort, the Farmer Field Schools program?

To measure the impact of on-the-ground programs simply by querying children presents – at best – a partial view of the total impact.

Report Recommendations

The recommendations offered by the Payson Center are helpful, raising issues similar to those we have previously identified. We will carefully review these recommendations to determine how we might best move forward.

On the pages that follow, we offer specific, page-by-page comments and suggested revisions to the draft document. We greatly appreciate your consideration of these changes...and have made every effort to focus our comments on areas where we think a change or revision will enhance the overall quality and accuracy of the document.

Page	Comment
8	<p>On the second bullet, beginning with “Of note...”</p> <p>The methodology used to measure impact on children (number of children who mentioned exposure to interventions) is flawed. It is not reasonable to expect a child on a cocoa farm to be aware of important efforts such as capacity building of law enforcement; improvements to educational opportunities; education of adult farmers on safe farming tasks for children, etc.</p> <p>Also, it would be helpful to understand when and where the children were surveyed, for this particular question.</p>
9	<p>Recommendation 3 states that “both governments” have “urgently requested” a GIS based database of project interventions.</p> <ul style="list-style-type: none"> ▪ Have both governments specifically requested this particular item? ▪ Who, specifically, requested it?
12	<p>The description of the Protocol (and 2005, 2008 events) is not accurate.</p> <p>The Protocol was not extended. Rather, a specific milestone associated with Step 6 in the Protocol was extended in 2005, to July 1, 2008</p> <p>In June of 2008, another milestone was established – the full implementation of “sector-wide” certification, with fully independent verification completed, by the end of 2010.</p>
16	<p>The certification diagram included here is out-of-date. We attach an updated chart for your use.</p>
17	<p>On page 17, the paragraph that begins with “The industry-government understanding of certification...”</p> <p>The sentence, “In addition, there is no clear linkage between certification report findings and investments by industry to ameliorate problems to improve conditions for children in the cocoa growing regions” is not accurate:</p> <ul style="list-style-type: none"> ▪ There are a number of industry-supported programs focused on priority issues raised in the certification reports: education, and children’s exposure to unsafe farming tasks. The ECHOES program, for example, is an ambitious effort to improve educational opportunities for children in cocoa farming communities. The Farmer Field Schools effort includes a strong component educating farmers on the tasks that are – and are not – appropriate for children to undertake ▪ The sentence, as written, also fails to take into account programs by the host country governments
17	<p>In the following paragraph, the sentence, “During the harvest period in 2007/2008, both Ghana and Côte d’Ivoire carried out the first full certification surveys” is not accurate. The sentence should read as follows: “During the harvest period in 2007/2008, both Ghana and Côte d’Ivoire carried out expanded certification surveys, based on pilot surveys conducted the previous year.”</p>
18	<p>Again, the explanation of the July 2008 and December 2010 milestones needs to be revised. As currently written, the report suggests that the Protocol would have expired on July, 2005, and then again on July, 2008.</p>

<p>19</p>	<p>In the paragraph beginning, “The Fair Trade and other value-based certification systems...”</p> <p>The observation included in the paragraph – that “a no forced labor requirement does not appear feasible” is a significant finding on the part of the report’s authors. As such, it might warrant greater discussion than what is offered here.</p> <p>It is important, also, to note that the current certification model is what will be used by industry and West African governments, going forward. While elements of the model will evolve (for example, verification, remediation and benchmarks), the model itself will endure.</p>
<p>21</p>	<p>The description of “Task 2” of the DOL contract does not match the contract as written.</p>
<p>21-22</p>	<p>The section, ‘Child Labor Monitoring System’ contains a number of issues that need to be addressed:</p> <p>In a number of areas, this section of the draft report suggests that the ILO/IPEC WACAP pilot project is the foundation of the overall effort to develop an effective means of collecting data, as part of certification.</p> <p>For example, the first paragraph in this section states that the “CLMS includes a computerized database, programmed in Microsoft-Access (IPEC Evaluation, August 2005). The following paragraph then begins by citing the ILO’s definition of labor monitoring (or, rather, the WACAP program definition).</p> <p>The chronology outlined in the paragraph beginning with, “The design, pilot testing and development of a CLMS...” suggests that there has been an evolution from WACAP to where we are now.</p> <p>The reader is left with the impression that WACAP is the framework and/or goal for this particular element of certification. This is not the case:</p> <p>WACAP was a pilot project, assessing one approach to understanding labor issues on cocoa farms. It does not represent the blueprint for the current data collection efforts by Ghana and the Côte d’Ivoire. It does not represent the goal or “best practice” here. WACAP is one approach, but by no means the only approach.</p> <p>On page 22, the report states that “Industry informed Tulane that it did not intend (to) continue to provide financial support for the system.” This statement – and the preceding paragraphs establishing WACAP as the primary approach to CLMS – creates an inaccurate impression that industry’s cessation of support for WACAP means that industry no longer supported the development of an effective data collection effort. That is not true. Rather, we – along with DOL – elected to end our support for this one particular pilot project, testing one possible approach.</p> <p>The paragraph further drives this inaccurate conclusion by stating that “Efforts to establish a CLMS have not been continued in 2007 and 2008 and the future of the system, if any, is unclear.” This is inaccurate.</p> <p>In fact:</p> <ul style="list-style-type: none"> ▪ Industry has supported the development of data collection systems in both Côte d’Ivoire and Ghana.

	<ul style="list-style-type: none"> ▪ The future of these systems is clear: they are being scaled up to provide “sector-wide” data coverage, fully verified, by the end of 2010. ▪ Industry and DOL both elected to discontinue their support for WACAP – which was one approach to addressing child labor that was being tested. <p>In the interests of providing a balanced view, it is important that the report include the industry’s stated reasons for discontinuing support of WACAP. Those reasons, stated on page 12 of the industry’s 2007 submission to Tulane University, “Certification for Cocoa Farming,” are as follows:</p> <p style="padding-left: 40px;"><i>“WACAP, which focused primarily on communities with access to schooling and on compensating families for sending their children to school instead of working, was found not to be a practical, scaleable platform for a certification system covering an entire country.”</i></p>
22	The fourth paragraph refers to the Côte d’Ivoire’s “National Plan of Action Against Slavery and Child Labor.” In fact, the plan is titled, “The National Plan Against Exploitation and Child Labor.”
23	<p>The section, “Initial Verification Working Groups,” includes a number of points that need to be clarified:</p> <p>The second paragraph on the page states that “the Verification Working Group again lost support by the chocolate industry.” This suggests that the industry withdrew its support twice, which is not the case. The group elected to re-organize itself at one point, which did not impact industry support at this point in time.</p> <p>Industry support was ultimately withdrawn when the organizational plan put forward by the original VWG clearly stated that stakeholders such as West African governments and industry would have no involvement in the final decisions taken by the group that was selected to guide the verification process. Industry has consistently noted on this point that while the independence of the verification effort is critical, the decision making processes for verification – especially the selection of the in-field verifiers and the agreement on their scope work - must include the participation of those stakeholders at the center of this issue, to ensure its effectiveness.</p>
25	<p>The second paragraph includes the statement, “While a process has been put in place, the actual establishment of system in the field has not progressed since last year.” This is inaccurate, as follows:</p> <ul style="list-style-type: none"> ▪ A system is not only “in place,” but at work” ▪ Since “last year,” the ICVB has selected two independent groups to conduct verification field work ▪ Representatives from both of those groups are already in the field ▪ These representatives will next conduct a sub-sample survey in October ▪ The final report – based on their work – is due before the end of 2008
28	In reviewing the areas in Côte d’Ivoire where the report’s authors collected field data, we were left with the impression that there was no data collected from several high-output cocoa growing areas, such as cocoa growing areas in the south and southwest regions of the CDI. Could you clarify?
36	On these and other charts relating to working practices on cocoa farms, could you provide the dates when this data was collected? The highly seasonal nature of cocoa farming makes no two time periods alike, in terms of the work involved.
48	The data presented in response to Question 4, “Being present or working in the vicinity of farm during pesticide spraying, or re-entering a sprayed farm within less than 12 hours of spraying,” does not match the question. The data reports on the number of children carrying water for spraying, which is not what the question asks.

59	In the first paragraph under the heading, “Place of Birth and Nationality of Respondents,” you might want to provide additional context as to why Côte d’Ivoire has a greater percentage of immigrant farmers, vs. Ghana. This higher number is due to a previous Côte d’Ivoire government policy that encouraged migration from other countries to Côte d’Ivoire, to develop its agricultural sector, including cocoa.
66	<p>The section, “Child Trafficked to Work on Cocoa Farms” tackles an important topic – and would benefit from greater transparency in terms of the data presented. In particular:</p> <ul style="list-style-type: none"> ▪ The section begins by stating that the geographical focus was on cocoa-growing regions (that) have previously been implied as a source of trafficked children.” What is your reference for this “implication”? ▪ Greater transparency and disclosure is needed around how the children were identified and selected for interviews. Who identified them? What were the criteria? What was the role of Save the Children Canada?
68	The paragraph under “Recruitment” makes some potentially confusing statements. At one point, it suggests that not all kids were “recruited,” but then later suggests that all of the children were “recruited.”
69	<p>Under the section “Working Hours,” the paragraph reports that children “said they worked from sun-up to sun-down.” This finding was shared by Save the Children Canada at a June conference, and was strongly challenged by representatives from Ghana and Côte d’Ivoire who attended the conference. For example, these representatives – each of whom leads their respective nation’s work to tackle labor issues on cocoa farms – pointed out that, as a practical matter, it would be impossible for children to work “sun-up to sun-down” in many months, as the sun is simply in the sky too long.</p> <p>Will you share the raw data or interview transcripts from these interviews? In addition to this issue, the representatives from Côte d’Ivoire and Ghana found a number of inaccuracies in the Save the Children Canada presentation of this same data (potentially inaccurate translations of children’s comments, for example).</p>
75	The section “Industry Supported Programs” might be more effectively titled, “Industry Supported Public-Private Partnerships”
75	It appears that the data referenced in the section “Industry Supported Programs” is out-of-date and/or not inclusive. For example, there is no mention of “ECHOES,” a major education initiative underway. Under separate cover, we attach updated information on ECHOES and other education-focused programs supported by industry.
76	<p>The fifth paragraph on page 76, beginning “While other projects have been completed,” states that industry has not provided financial and other critical information.</p> <p>In fact, industry issued a statement, earlier in 2008, providing information on its financial contributions since 2005. We attach this statement for your review, and for inclusion in your bibliography.</p>
76	We suggest that the section entitled “Government-Supported Interventions” be re-titled “African Government-Supported Interventions”

77	<p>The section “Project Activities in Support of Children” employs, in the view of industry, a flawed approach to generate its data. The approach measures the scope of programs supporting children by asking children if they are aware of any interventions. Yet many programs that do – without question – benefit children may escape the awareness of those children surveyed.</p> <p>For example, would children know about ICI capacity building and training for law enforcement? Are they aware of programs for “at-risk” children that may not have impacted them because they are not “at risk”? Would a child know that her/his teacher participated in the industry-supported IFESH or Winrock teacher training programs, to improve the quality of education?</p> <p>To be more accurate, this section should be titled, “”Children’s Awareness of Project Activities,” Yet even with a new name, the section does not provide meaningful data.</p>
80	<p>The paragraph in the middle of the page, “In sum...” states that the Intervention Database “enjoys maximum support and collaboration from the COG, and a similar technical meeting will also be held with the government of Côte d’Ivoire.” Two points:</p> <ul style="list-style-type: none"> ▪ First, the paragraph suggests that the Côte d’Ivoire government has not yet met with Tulane on this specific topic and, therefore, has not yet had the opportunity to express their support. Yet in other areas in the report, it is suggested that both governments already support the concept. Could you clarify? ▪ It would help if you identified whom (or which office) within the GOG expressed support, and if that support was for this specific approach.
82	<p>The section with “Key Concepts and Definitions” defines exploited children. It might be helpful here to note that one of the challenges facing all stakeholders is to identify “exploitive” behavior and situations, vs. family norms.</p>
83	<p>The table (27) suffers from a too-narrow definition of what constitutes “rehabilitation.” For example, none of the following programs are considered as having a “rehabilitation” role, under the terms of this one table:</p> <ul style="list-style-type: none"> ▪ Programs to improve education for children, and/or to ensure school attendance ▪ Programs to educate parents on safe, responsible tasks for children on the farm – and the need to reduce children’s exposure to these tasks ▪ Community engagement efforts to boost children’s school attendance ▪ Programs administered by the Red Cross and UNICEF – focused exclusively on helping children <p>The result is a table (and analysis) with an extremely narrow definition of what constitutes rehabilitation – in this case, the actual rescue of trafficked children. Given the considerable amount of data that suggests that children need “rehabilitation” in many areas beyond such narrow definitions, and in far greater numbers, there needs to be a more comprehensive approach</p>
84	<p>As a result of the above, too-narrow definition of rehabilitation, the draft report’s conclusion that “few of the industry-supported programs are directly targeted at rehabilitation” is not accurate.</p> <p>Here, as in other areas, a shared agreement on the definition of the term being used – a definition that would, in turn, determine what is measured – is essential.</p>

87	The recommendation #3 at the top of the page, “Emphasize the development of a methodology...” Could you clarify? We had trouble determining the meaning of this recommendation, as currently written.
87	Could you define what you mean by “validation” in recommendation 2 under “Cooperation and Reporting”?

#

Appendix 15: Government of Côte d'Ivoire Comments on Draft Annual Report (Year 2)

*Système de suivi du travail des enfants dans
le cadre de la certification du processus de
production du cacao*



Le Comité de Pilotage

*République de Côte d'Ivoire
Union Discipline Travail*



Cabinet du Premier Ministre

SECRETARIAT EXECUTIF

**COMMENTAIRES SUR LA VERSION PROVISOIRE DU 2ND
RAPPORT DE LA MISSION DE SUPERVISION DES EFFORTS
D'ELIMINATION DES PIRES FORMES DE TRAVAIL DES
ENFANTS EN COTE D'IVOIRE ET AU GHANA PAR
L'UNIVERSITE DE TULANE**

© Septembre 2008

De prime abord, le Gouvernement Ivoirien voudrait remercier l'Université de Tulane et l'USDOL de lui permettre de commenter le deuxième rapport provisoire, ce qui est un signe de transparence.

La note de commentaires comprend deux parties, à savoir, les commentaires généraux et les commentaires particuliers.

COMMENTAIRES GENERAUX

1. Le fait que l'Université de Tulane, agissant sous mandat de l'USDOL, ait pu mener sa mission et ses enquêtes avec l'appui des autorités ivoiriennes montre bien l'ouverture de la Côte d'Ivoire à toute coopération utile à la lutte durable contre les pires formes du travail des enfants, en particulier dans la cacaoculture.
2. L'enquête menée par l'Université de Tulane montre que la plupart des enfants en situation de travail sont des enfants ivoiriens travaillant aux côtés de leurs parents. Ce résultat majeur est similaire à celui obtenu à l'issue de l'enquête nationale menée par le projet SSTE durant la campagne cacaoyère 200/2008.
3. Les efforts déployés par l'Université de Tulane d'une part, et ceux déployés par le gouvernement ivoirien d'autre part, font apparaître la nécessité d'une véritable collaboration. Ceci permettrait, par le jeu du partage d'expertise et d'expérience, d'élaborer des méthodologies et des instruments plus efficaces pour les enquêtes à venir.

COMMENTAIRES PARTICULIERS

A PROPOS DE LA PARTIE « CERTIFICATION SYSTEM »

1. Il y a plutôt eu 36 villages enquêtés et non 26 comme mentionné dans le rapport. En outre, les 36 villages sont situés dans 18 départements qui sont représentatifs de l'ensemble de la zone de production de cacao en Côte d'Ivoire.
2. La Côte d'Ivoire est tout à fait disposée à l'examen conjoint des données brutes des deux enquêtes, à savoir la sienne et celle de l'Université de Tulane. Aussi est-elle prête à communiquer ses données brutes et à prendre part à un groupe conjoint d'experts pour l'examen des données.

A PROPOS DE LA PARTIE « CHILD LABOUR MONITORING SYSTEM & VERIFICATION »

3. La composition de ICVB, la procédure de sélection des vérificateurs, la méthodologie du travail et la publication des rapports d'étapes et de tout ce qui concerne la vérification sont autant d'éléments qui assurent de la transparence et de l'indépendance de la vérification.

Il n'est donc pas juste de croire que la source de financement met en cause l'indépendance de la vérification qui reste une étape majeure du processus de certification.

A PROPOS DE LA PARTIE « FIRST ANNUAL HARVEST SURVEY »

4. Le référentiel des travaux dangereux utilisé est différent de celui de la Côte d'Ivoire ; ce faisant, certaines affirmations méritent d'être mieux expliquées. Exemples :

- a. « longues expositions au soleil » ou « extrême chaleur » : ce sont deux caractéristiques majeures de la zone tropicale où la cacaoculture est pratiquée. Par ailleurs il faut rappeler que la cacaoculture est faite sous ombrage ;
 - b. « transport de troncs d'arbres » (Timber) : la référence aux troncs d'arbres paraît excessive. L'observation faite à ce sujet au cours de la réunion consultative de juillet 2008 à Abidjan a permis de se rendre compte qu'il s'agit plutôt de branches ou autres objets similaires.
5. La machette et la daba (machette and hoe), les deux principaux outils de l'agriculteur ivoirien, voire africain, sont classés au nombre des instruments à interdire parce que dangereux. Cela est d'autant plus préoccupant que l'analyse des tâches de l'itinéraire technique de la cacaoculture révèle que dans l'état actuel des choses, très peu de tâches sont mécanisables. Cependant cela n'occulte pas le devoir des parents d'encadrer leurs enfants dans le cadre de leur apprentissage, aussi bien pour l'exécution des travaux que pour l'utilisation des outils. Par conséquent, l'analyse devrait porter sur la qualité de l'encadrement et non sur le fait d'utiliser les outils susmentionnés.
 6. L'analyse des données relatives aux enfants (activités, maux ressentis) aurait donné des informations plus pertinentes si elle était faite par tranche d'âge. D'une part, cela aurait permis de comprendre les modalités qualitatives et quantitatives d'implication des enfants en fonction de leur âge et d'autre part, de mieux guider la remédiation en direction de ces enfants, suivant qu'ils sont encore en âge d'aller à l'école ou d'apprendre un métier.
 7. Le calcul des taux de scolarisation n'est pas fondé sur les normes de l'âge scolaire en Côte d'Ivoire (première classe du Cycle Primaire à partir de 6 ans révolus), mais plutôt sur la tranche d'âge des enfants concernés par l'enquête à savoir, de 5 à 17 ans. Les taux de scolarisation ainsi obtenus souffrent d'inexactitude et ne peuvent par conséquent être comparés aux données nationales ou régionales existantes.
 8. Dans l'analyse des données d'enquête, le rapport fait référence à des calculs de moyennes (exemple : âge moyen des chefs de ménage, âge moyen des enfants impliqués dans les travaux, superficie moyenne des champs, etc.). Le problème ici provient du fait que, eu égard au type de données concernées, les moyennes données sans écart-type ne sont pas interprétables quant à leur représentativité de la situation qu'elles sont sensées décrire. Dans de tels cas, le recours à une distribution selon des classes permet de mieux cerner la question étudiée.
 9. La Côte d'Ivoire salue l'effort de retraitement des données relatives aux activités des enfants selon le référentiel ivoirien des travaux dangereux, ce qui fournit une base de comparaison entre l'enquête de l'Université de Tulane et celle du Gouvernement.
 10. La Côte d'Ivoire prend bonne note de la suggestion de rendre plus dynamique le référentiel des travaux dangereux interdits aux enfants.

A PROPOS DE LA PARTIE « SCHOOL ENROLLMENT, RETENTION AND VOCATIONAL TRAINING PROGRAMS »

11. La Côte d'Ivoire regrette avec l'Université de Tulane que seulement 2% des bénéficiaires d'activités de remédiation soient des enfants. Cela appelle de la part des acteurs qui y sont engagés, notamment l'industrie du cacao et du chocolat, à un meilleur ciblage et une intensification de l'effort de remédiation en direction des principales victimes que sont les enfants.
12. La Côte d'Ivoire attend avec impatience de pouvoir bénéficier du Système d'Information Géographique (GIS) à mettre en place par l'Université de Tulane pour gérer les activités de lutte contre le travail des enfants, ainsi que de l'expertise mobilisées pour le concevoir.

Les informations permettront au gouvernement de mieux coordonner et de mieux fédérer les efforts de tous. C'est aussi un champ de coopération et d'échange d'expertise pour l'amélioration des méthodes et outils, comme indiqué précédemment. A ce titre, la Côte d'Ivoire invite l'Université de Tulane à considérer le cadre général d'évaluation des activités de lutte contre le travail des enfants, tel qu'expliqué et utilisé dans le document « *Évaluation des actions de remédiation engagées dans la lutte contre les pires formes de travail des enfants dans la cacaoculture en Côte d'Ivoire* ». Ce rapport a été élaboré sous mandat du gouvernement et est disponible sur le site web www.cacao.ci .

A PROPOS DES RECOMMANDATIONS

13. Les recommandations formulées à la fin du rapport sont en droite ligne avec les défis futurs du Gouvernement Ivoirien qui voudrait saluer leur pertinence.

**Appendix 16: Government of Ghana Comments on Draft Annual Report
(Year 2)**

*In case of reply the
Number and date of this
Letter should be quoted*



**Ministry of Manpower
Youth & Employment
Post Office Box MB. 84
ACCRA-GHANA**

Our Ref. No: **SER 186/361/07**

Your Ref. No:

REPUBLIC OF GHANA

September 15th, 2008

Dear Ms. Ponticelli,

It is my pleasure to present to your office the comments of the Government of Ghana on the Tulane University report on "Oversight of Public and Private Initiatives to Eliminate the Worst Forms of Child Labour in Cocoa Sector".

The report was received on September 4th, 2008 and it has since been reviewed. Kindly find attached the comments on the report. We wish to commend Tulane University and collaborating partners for the good work done.

We continue to assure you that the Government of Ghana has not relented in its efforts to eliminate worst forms of child labour in cocoa and other sectors as a major part of national development. We hope for increased collaboration with your outfit in these efforts.

Do, please, accept the assurance of my highest consideration.

Yours sincerely,


**AKOSUA FREMA OSEI-OPARE (MRS)
DEPUTY MINISTER (SD)**

**MS. CHARLOTTE M. PONTICELLI
DEPUTY UNDER SECRETARY FOR
INTERNATIONAL AFFAIRS
U.S. DEPARTMENT OF LABOUR
WASHINGTON, D.C. 20210**

GOVERNMENT OF GHANA'S COMMENTS ON THE DRAFT SECOND ANNUAL REPORT OF TULANE UNIVERSITY OVERSIGHT DUTIES

A. Introduction

As part of the Tulane-USDOL contract, Tulane University is tasked with conducting annual, nationally representative surveys of child labour in the cocoa growing areas of Cote d'Ivoire and Ghana that produce information on:

- Household demographics and socioeconomic status;
- Estimates of number of children working in the cocoa sector;
- Working conditions of children on cocoa farms;
- Origin and mode of recruitment of hired child labour; and
- School attendance of children in the cocoa growing areas.

This report represents the comments of the Government of Ghana to the second annual report entitled, 'Oversight of Public and Private Initiatives to Eliminate the Worst Forms of Child Labour in the Cocoa Sector in Cote d'Ivoire and Ghana'.

The Government of Ghana through the Ministry of Manpower, Youth and Employment's National Programme on the Elimination of Worst Forms of Child Labour in Cocoa (NPECLC) used the expertise of the Technical Working Group (TWG) and the Cocoa Sub-committee of the National Steering Committee on Child Labour to review the Tulane report. The review focused on the relevant socio-cultural context, the methodology and methods employed in data collection and analysis, the involvement of children in cocoa activities including the conditions under which children participated, the general conclusions and recommendations of the report.

The Government of Ghana welcomes all knowledge-based interventions including the study by Tulane University which aims at increasing our understanding of the involvement of children in cocoa cultivation. Such studies potentially provide insights into how government may intervene to improve the living conditions of our illustrious cocoa farmers and their households.

In this light, the Government of Ghana wishes to commend Tulane University for painstakingly undertaking such a study to unravel very insightful issues about the phenomenon of child labour, especially its worst forms, in the cocoa sector of Ghana. The GOG also welcomes relevant recommendations made which, it is hoped, will have far-reaching implications on our mitigation efforts.

We observe that issues of child labour in the cocoa sector are complex and require an understanding and cognisance of the unique socio-cultural context within which cocoa cultivation takes place, including concepts and terminologies specific to cocoa cultivation in Ghana. It is in respect of this that the Government of Ghana presents the following comments on the report.

B. Comments on the report

1. The description of the survey

- We observe that the data was collected by Tulane University in November/December 2007, during the main crop season in Ghana. However, the activities reported on took place over the entire cocoa season and therefore the report should have reflected this. It is suggested that the report be referred to as **‘the certification survey for 2007-2008 cocoa season’** (e.g. p. 17, Tulane 2008).
2. In reference to the Ghana Cocoa Labour Survey 2007/2008, Tulane University report (p.18) states that it was carried out by the Department of Agricultural Economics and Agribusiness of University of Ghana and the Ghana Statistical Service. We would like it to be recognised that the Ghana study was carried out by a multidisciplinary team of the TWG, consisting of researchers from Department of Agricultural Economics and Agribusiness of the University of Ghana, University of Ghana Medical School, Ghana Statistical Service, Cocoa Research Institute of Ghana, Ghana Cocoa Board, UNICEF and MMYE.
 3. The report (see p.18) in summarising the key findings from the Ghana survey missed the context within which they were made. Readers not privy to the Ghana report may arrive at conclusions at variance with the true situation (Ghana report pp. xxiv – xxvii) e.g . **‘46.7 percent of children had participated in at least one hazardous cocoa activity during the last cocoa farming season’**. The concluding statement of bullet 5, of p xxvi (Ghana survey report 2007/2008) should have been included since this conclusion was picked out of context.
 4. The statement in the last paragraph of p.18 that a plan has already been approved by the Government of Ghana to jointly examine the raw data is not the case. It is acknowledged that the Government of Ghana and Tulane University have commenced discussions on collaboration. However, no conclusions have yet been reached on a joint examination of the raw data.
 5. The last paragraph on page 22 of the report on the Child Labour Monitoring System (CLMS) is misrepresented with respect to the Government of Ghana (GoG). The Government of Ghana is committed to implementation of the CLMS and has already started its operationalisation. The Government welcomes further support from industry and other partners.

6. Methodology

There is general agreement in socioeconomic research that the choice of methodology should reflect the objectives, research questions and the social context of the population to be studied. It is in this regard that we have concerns with some of the methods used in the Tulane study.

- a) In the report (p.27) under the section **‘survey methodology and implementation’**, a stratified two-stage cluster sampling was adopted to select representative sample of agricultural households. It is, however, noted that the principle of a two-stage sampling methodology is that the first and second stages are related. The second is again dependent on the first in terms of the domain of interest to determine the sample size required to measure the variable of interest. The variable of interest in this case is the cocoa-growing household and not the agricultural household which was used in the sample. It is, therefore, not clear how an agricultural household led to a representative sample of children in cocoa-growing areas. This might have led to the study finding tractors and bullocks supposedly being used in cocoa cultivation.

- b) The stratification process is not clear. The limits of each stratum in terms of the levels of production need further elaboration. This is necessary to help determine the level of precision to be gained in the stratification. The precision and limits of the strata are necessary in the calculation of weights used in the extrapolations. Equally unclear is the brief description of land area in Ghana under cocoa cultivation. In Ghana, cocoa is cultivated in parts of the Western, Central, Eastern, Ashanti and Brong Ahafo Regions and, to a very small extent, Volta Region. The distribution in Table 1 varies in terms of the proportionality but no further explanation is provided.
- c) We would appreciate further clarification as to how the 832 children interviewed in schools were analysed (Table 2, p.32). The different situations where the data from the household and those from the school were used have not been specified.
- d) The Harkin-Engel Protocol refers to the cocoa sector and not the agricultural sector as a whole. However, from the report "...the interviewers then selected a sample of households with equal probability including only households that are involved in agriculture (agricultural households)" (p.30). Our concern is that the target sample includes respondents who are not involved in cocoa farming. Also, the report does not give the total number of households and total "cocoa households" used in the tabulation.
- e) It seems to us that though the household head and the caregiver were the same persons who responded to the two sets of questionnaires, in the analysis the responses have been lumped together.
- f) The separation between "Children in agriculture" and "children in cocoa" is not part of the survey methodology as portrayed in Table 4 (p.35) but rather the data analysis process, i.e. the tabulation. Almost all the tables in the results section of the report use this dichotomy of "children in agriculture" and "children in cocoa." The latter is a subset of the former. Thus, in all such tables the base for children working in cocoa used in the calculation of percentages will be smaller and thus yield higher percentages. The dichotomous tabulation therefore does not provide useful information.
- g) Only rural and semi-urban households were selected even though it is well known that some urban communities are also engaged in cocoa cultivation. This may potentially increase the cumulative sampling error.
- h) An explanation of how the weights were derived and applied to the data will be useful in understanding some of the numbers in the tables (e.g. p.36, Table 5b).

7. Some of the tables in the report were not easy to understand and may need elaboration in terms of the structure and variations in the denominators from which the proportions were computed. Some cross-tabulations will provide insights into the relationships that may exist between some of the variables.

8. The report presents tables and commentaries on the tables. Further analysis and interpretation could have provided better insight.

9. Other comments:

- **‘Children work most often on weekends (over 50%), holidays (42%) and after school (23%), or when their parents need them’.** This finding refers to all economic activities performed by children and not specifically on cocoa activities (ref. Ghana survey report 2007/2008, p.125 & 126.)
- **‘65 children (0.9%) received cash payment and 5 (0.1%) had payment made to their parents.’** The sample size (N=1013) should be stated (ref. NPECLC p.129). The whole statement on this issue should have been quoted to bring out the context upon which this conclusion was arrived at. There should be clarification on the statement that most of the children work on family farms and so do not receive payments. The issue is that cocoa farming is a family-based activity. Children engaged in this activity therefore do not expect to be paid for their labour.
- **P. 38- Working Hours performed by Children** –There seems to be a problem with understanding the figures presented on the first row of Table 7b. What is the N for 7b?
- **P. 41** - It is quite unusual that children should be reported to be working for 43 hours per week since they work mostly during weekends and especially when the results had indicated that over 90 percent of the children interviewed are enrolled in school. There are no indications whether the children work every day. The basis for their computation in the last 7 days needs further investigation. Even adult hired labourers in cocoa activities work not more than 6 hours. It is therefore not plausible for children to work for that number of hours.
- **Page 43** – An indication of where the injuries actually occurred may be helpful (whether at home, cocoa farms, other farm activities), since our report indicated most of the injuries occurred at home and school rather than on cocoa farms
- **Page 45** - The source for the findings on ‘extreme heat’, ‘gas, fire and flames, etc’ need further explanation since cocoa farms are generally shaded by the cocoa trees and other vegetative cover. The use of gas is not applicable on cocoa farms.
- **Page 36-37** – Figures quoted for 5b and 6b appear to be on the high side, and the source of the figures is not indicated. The total population of children aged 5-17 years within cocoa growing regions in Ghana is 1,813,915 (Ghana 2000 Population Census). This figure includes children from agriculture and non-agriculture households. Therefore, the figure on Ghana above is even overestimation of children in agricultural sector.
- **Page 46 (Table 14b)** – In terms of scale of operation, there are no plantations in Ghana and cocoa cultivation is not mechanised. The average cocoa farm size in Ghana is 3 hectares but a plantation is about 40 hectares in size. The reference to the use of tractors and bullocks may be due to the inclusion of non-cocoa households in the sample.
- **P.48 – Clearing of forest/felling of trees**
The figure for children involved in land clearing appears unusually high and requires further investigation. Land clearing for cocoa farming is a difficult and specialized activity mostly contracted out to adults and most unlikely to find such a high number of children involved

- Constant interchanging of ‘work in cocoa’ and ‘work in agriculture’ need to be clarified. For instance on page 54, reference is made to children working in agriculture but ascribe to children working in cocoa. Disaggregated data into age groupings could provide a better understanding of the issue. This will help in the design and tailoring of interventions.
- Tables 17b, 18, 20b and 21b – We have difficulty discerning the meaning and relevance of these tables. These tables seek to indicate the involvement of children in hazardous work and we believe the data should portray these and not cloud the data with ‘children in agriculture households’.
- P. 61 – Table 24b - The child questionnaire (B2) relevantly asked whom the children lived with and the categories included ‘other relatives’. This important category was left out and rather gave the proportions of children without either parent. It should be noted that in Ghana’s socio-cultural context, children living with relatives is socially protective and culturally acceptable. Reasons were given for children not living with biological parents, but these do not explicitly indicate who these children live with. Ghana will benefit from the analysis of children living with other relatives for further examination.
- P. 63 – The reasons for not staying with parents, i.e. the ‘other’ category which is as much as 21 percent, was also not analyzed. Further analysis of this figure will be appreciated. In addition, the presentations in Table 25b do not correspond with the questions in the questionnaire.
- Interventions by Government and NGOs were not fully captured. For instance, p. 75 – 77: Government Supported Interventions – GoG through COCOBOD is undertaking several multi-purposed interventions which will culminate in the elimination of worst forms of child labour in cocoa. COCOBOD has instituted a scholarship scheme which has been operational since 1951. Beneficiaries of the scheme are wards of cocoa farmers. A total of about 7,500 children therefore benefited from that scheme during the 2007/2008 academic year. The Cocoa Diseases and Pest Control (CODAPEC) Programme is meant to forestall the use of children in spraying of insecticide. COCOBOD has also begun a project to provide solar street lamps in cocoa-growing communities as well as constructing over 571 km of roads linking cocoa farming communities. GoG has also begun pilot affordable housing scheme for cocoa farmers in the Western Region of Ghana. As part of implementation of the Growth and Poverty Reduction Strategy (GPRS 2), several micro-credit schemes are also available throughout the country. The Micro-Assistance and Small Loans Scheme (MASLOC), which was established in 2006, has benefited at least 10,000 men and women, giving them the chance to earn an income.
- P. 78- Last paragraph – The categories are related and overlapping. It is suggested that we have categories such as sensitisation, training and rehabilitation under a common heading of ‘Interventions’.
- P. 83 – The Madina Rehabilitation Centre referred to in the report is an existing government rehabilitation centre so the statement that ICI is planning to establish a rehabilitation centre should be corrected.
- P. 84 - paragraph 1 – The Domestic Violence Bill was passed into an Act in 2007 (Act 732).

- P.85 – Ghana is a party to the existing certification framework and is therefore committed to it.
- P. 86 – No. 3 – There is no evidence so far to suggest that children not living with their families are prone to working in hazardous work and so this recommendation is not acceptable. Tulane did not provide any evidence in their study whether children not staying with their families are necessarily those in the high risk group.
- Recommendations:

We find these recommendations most commendable:

- The need for stakeholders to standardize the methodology for certification;
- The need for stakeholders to provide an operational definition of worst forms of child labour in the cocoa sector;
- Continued financial commitment by industry to both certification and verification processes.

C. Concluding remarks

It is our hope that Tulane will find our comments useful in finalising their report.